

The Gbleehai Foundation, Inc

A Maryland Non-profit Corporation

WHISTLEBLOWER POLICY

This policy is intended to encourage Board members, staff (paid and volunteer) and others to report suspected or actual occurrence(s) of illegal, unethical or inappropriate events (behaviors or practices) without retribution

ARTICLE I DEFINITIONS

1.1 “Whistleblower”

is defined by this policy as an employee who reports, to one or more of the parties specified in this policy, an activity that he/she considers to be illegal, dishonest, unethical, or otherwise improper.

1.2 “Employee,” or “public employee,”

means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied, for the district.

1.3 “Matter of public concern”

means

- a violation of a state, federal, or municipal law, regulation, or ordinance;
- a danger to public health or safety; and/or
- gross mismanagement, substantial waste of funds, or a clear abuse of authority.

1.4 “Public body”

includes an officer or agency of

- the federal government;
- the state;
- a political subdivision of the state including a municipality or a school district; and d. a public university in the state.

ARTICLE II
POLICY

2.1 The organization will not retaliate against a whistleblower.

(a) This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

(b) If an employee has knowledge of or a concern of illegal or dishonest/fraudulent activity, the employee is to contact his/her immediate supervisor or the Human Resources Director. All reports or concerns of illegal and dishonest activities will be promptly submitted by the receiving supervisor to the Human Resources Director, who is responsible for investigating and coordinating any necessary corrective action. Any concerns involving the Human Resource Director should be reported to the chief executive officer.

(c) The whistleblower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

2.2 Whistleblower protections are provided in two important areas:

Confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

2.3 Individuals protected include

(a) the employee, or a person acting on behalf of the employee, who reports to a public body or is about to report to a public body a matter of public concern; or

(b) the employee who participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.

ARTICLE III
PROCEDURES

- 3.1** The Whistleblower should promptly report the suspected or actual event to his/her supervisor.
- 3.2** If the Whistleblower would be uncomfortable or otherwise reluctant to report to his/her supervisor, then the Whistleblower could report the event to the next highest or another level of management, including to an appropriate Board committee or member.
- 3.3** The Whistleblower can report the event with his/her identity or anonymously.
- 3.4** The Whistle blower shall receive no retaliation or retribution for a report that was provided in good faith – that was not done primarily with malice to damage another or the organization.
- 3.5** A Whistleblower who makes a report that is not done in good faith is subject to discipline, including termination of the Board or employee relationship, or other legal means to protect the reputation of the organization and members of its Board and staff.
- 3.6** Anyone who retaliates against the Whistleblower (who reported an event in good faith) will be subject to discipline, including termination of Board or employee status.
- 3.7** Crimes against person or property, such as assault, rape, burglary, etc., should immediately be reported to local law enforcement personnel.
- 3.8** Supervisors, managers and/or Board members who receive the reports must promptly act to investigate and/or resolve the issue.
- 3.9** The Whistleblower shall receive a report within five business days of the initial report, regarding the investigation, disposition or resolution of the issue.
- 3.10** If the investigation of a report, that was done in good faith and investigated by internal personnel, is not to the Whistleblower's satisfaction, then he/she has the right to report the event to the appropriate legal or investigative agency.
- 3.11** The identity of the Whistleblower, if known, shall remain confidential to those persons directly involved in applying this policy, unless the issue requires investigation by law enforcement, in which case members of the organization are subject to subpoena.