



Whistle Blower Policy

I. PURPOSE

Staff, board members, consultants and volunteers are encouraged to report suspected fraudulent or dishonest conduct (i.e. to act as “whistle-blower”), pursuant to the procedures set forth below.

II. PERSONS AFFECTED

Staff, Board Members, Committee Members, Consultants & Volunteers.

III. POLICY

In keeping with the policy of maintaining the highest standards of conduct and ethics, One Truckee River (OTR) will investigate any suspected fraudulent or dishonest use or misuse of OTR’s resources or property by staff, board members, consultants or volunteers. OTR is committed to maintaining the highest standards of conduct and ethical behavior and promotes a working environment that values respect, fairness and integrity. All persons affected shall act with honesty, integrity and openness in all their dealings as representatives for the organization. Failure to follow these standards will result in disciplinary action including possible termination of employment, dismissal from one’s board or volunteer duties and possible civil or criminal prosecution if warranted.

A person’s concerns about possible fraudulent or dishonest use or misuse of resources or property should be reported to the Executive Director. If for any reason a person finds it difficult to report his or her concerns to the Executive Director, the person may report the concerns directly to any Officer of the Board of Directors. Alternately, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

All relevant matters, including suspected but unproved matters, will be reviewed and analyzed, with documentation of the receipt, retention, investigation and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings will be communicated back to the reporting person. Investigations may warrant investigation by an independent person such as auditors and/or attorneys.

Baseless Allegations: Allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action by OTR, and/or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct: A deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

- forgery or alteration of documents;
- unauthorized alteration or manipulation of computer files;
- deliberately fraudulent financial reporting;
- pursuit of a benefit or advantage in violation of OTR's Conflict of Interest Policy;
- misappropriation or misuse of OTR resources, such as funds, supplies, or other assets;
- authorizing or receiving compensation for goods not received or services not performed; and
- authorizing or receiving compensation for hours not worked
- accepting bribes

Whistle-Blower: An employee, consultant or volunteer who informs the Executive Director or an Officer of the Board of Directors about an activity relating to OTR which that person believes to be fraudulent or dishonest.

IV PROCEDURES

Persons affected are required to report suspected fraudulent or dishonest conduct to the Executive Director or an Officer of the Board of Directors. Reasonable care should be taken in dealing with suspected misconduct to avoid:

- baseless allegations;
- premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation; and
- violations of a person's rights under law

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. A whistle-blower, while appropriately concerned about "getting to the bottom" of such issues, should not in any circumstances perform any investigative or other follow up steps on their own. Accordingly, an individual who becomes aware of suspected misconduct:

- should not contact the person suspected to further investigate the matter or demand restitution.
- should not discuss the case with attorneys, the media or anyone other than the Executive Director or an Officer of the Board of Directors
- should not report the case to an authorized law enforcement officer without first discussing the case with the Executive Director or an Officer of the Board of Directors

OTR will protect whistle-blowers as defined below.

- OTR will use its best efforts to protect whistle-blowers against retaliation. Whistle-blowing complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that whistle-blower complaints will only be shared with those who have a need to know so that OTR can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. Should disciplinary or legal action be taken against a person or persons as a result of a whistle-blower complaint, such persons may also have right to know the identity of the whistle-blower.
- Employees, consultants and volunteers of OTR may not retaliate against a whistle-blower for calling attention to an activity which that person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistle-blower's employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or fees. Whistle-blowers who believe that they have been retaliated against may file a written complaint with the Executive Director or President of the Board of Directors. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated. This protection from retaliation is not intended to prohibit OTR from taking action, including disciplinary action, in the usual scope of duties and based on valid performance-related factors.
- Whistle-blowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

V. RESPONSIBILITIES

Staff, Board and Committee Members, Consultants and Volunteers are required to report suspected fraudulent or dishonest conduct to the Executive Director or an Officer of the Board of Directors.

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