

<i>Policy Name</i>	<b>Whistleblower</b>
<i>Revised Date</i>	April 9, 2024
<i>Approved by</i>	Linda L. Carney, President/CEO
<i>Most Recent Reviewed Date</i>	April 9, 2024

**Policy:** Facilitate open and honest communication relevant to governance, finances, and compliance with federal, state, and local regulations and applicable laws. Staff, interns, and volunteers shall observe high business and personal ethics standards while performing work-related duties and responsibilities, consistently exhibit honesty and integrity in fulfilling duties, and comply with applicable laws and regulations.

**Procedure:** Staff, interns, and volunteers who reasonably believe or suspect unlawful or improper workplace conduct shall immediately report concerns.

Improper workplace conduct may include but is not limited to the following:

- theft
- financial reporting which is fraudulent, intentionally misleading, or negligent in manner
- improper or undocumented financial transactions
- forgery or alteration of documents
- unauthorized alteration or manipulation of computer files
- improper destruction of records
- improper use of CODI assets, including, but not limited to, funds, supplies, intellectual property, and other assets
- improper access or use of confidential donor information
- authorizing or receiving compensation for goods not received, services not performed, or other improper occurrences regarding cash, financial procedures, or reporting
- abuse of or discrimination against CODI staff, consumer, intern, volunteer, vendor, or person connected with CODI

- failing to provide reasonable accommodation for a disability, religious belief, or other covered life event
- intentional violation of CODI policies and procedures
- violation of federal, state, or local ordinances or regulations

### **Reporting Concerns:**

Staff shall report concerns electronically through **Accreditation Now** via the link on the employee page of the organization's website at [www.njcodi.org](http://www.njcodi.org). Corporate Compliance Report is accessed anonymously. Interns and volunteers may use the Whistleblower Reporting Form located next to suggestion boxes in Outsource Center and 901 Atlantic lobby to report concerns anonymously.

### **Handling of Reported Concerns:**

CODI's VP of Quality Improvement (VPQI), Taran Winchester, shall be responsible for investigating and addressing concerns. Concerns shall be handled according to the organization's Corporate Compliance Policy and Procedures. CODI shall take appropriate action, including disciplinary action up to and including termination and civil or criminal prosecution.

### **Acting in Good Faith**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates unlawful or improper workplace conduct or intentional violation of CODI policies.

Making allegations that prove to be unsubstantiated and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false shall be viewed as a serious offense. It may result in discipline, up to and including termination of employment or dismissal from intern or volunteer position. Also, staff, intern, or volunteer who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including termination or dismissal. Such conduct may also lead to other actions, including civil or criminal actions.

### **No Intimidation/Retaliation:**

CODI values open and honest communication and promotes an organizational culture where individuals feel free to raise concerns, in good faith, without fear of retaliation. The Whistleblower Policy is intended to encourage and enable staff, interns, and

volunteers to raise concerns for investigation and appropriate action. With this goal in mind, no staff, intern, or volunteer who, in good faith, reports a concern shall be subject to retaliation or, in the case of staff, adverse employment consequences.

### **Conscientious Employee Protection**

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
  - a. Discloses, or threatens to disclose, to a supervisor or a public body an activity, policy, or practice of the employer or another employer with whom there is a business relationship that the employee reasonably believes violates a law or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of consumer care;
  - b. Provides information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer with whom there is a business relationship or in the case of an employee who is a licensed or certified health care professional, provides information to or testifies before, any public body conducting an investigation, hearing or inquiry into quality of consumer care; or
  - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, consumer, customer, employee, former employee, or retiree of the employer or any governmental entity.
  - d. Provides information regarding any perceived criminal or fraudulent activity, policy, or practice of deception or misrepresentation that the employee reasonably believes may defraud any shareholder, investor, consumer, customer, employee, former employee, or retiree of the employer or employee any governmental entity.
  - e. Objects to, or refuses to participate in, any activity, policy, or practice which the employee reasonably believes:
    - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of consumer care;
    - (2) is fraudulent or criminal; or
    - (3) is incompatible with a clear mandate of public policy concerning the public health, safety, welfare, or protection of the environment.

2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy, or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy, or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy, or practice is known to one or more supervisors of the employer or where the employee fears physical harm due to the disclosure, provided that the situation is emergency in nature.

### **Whistleblower Protection**

CODI shall protect whistleblowers as follows:

- CODI shall use its best efforts to protect whistleblowers against intimidation and retaliation. Complaints by whistleblowers shall be handled with sensitivity, discretion, and confidentiality to the extent allowed by circumstances and law. Generally, this practice means that concerns shall only be shared with those who need to know to conduct an effective investigation. (Should disciplinary or legal action be taken against a person or persons due to a whistleblower complaint, such persons may also have a right to know the whistleblower's identity.)
- No adverse action shall be allowed for reporting concerns, even if claims are unfounded. No action shall be taken against a whistleblower with intent or effect of adversely affecting terms or conditions of whistleblower's employment, including but not limited to threats of physical harm, loss of job, demotion, discipline, punitive work assignments, or impact on salary or wages. Whistleblowers who believe they have been retaliated against may file a written complaint with President/CEO. If alleged retaliation involves President/CEO, staff may file a written complaint with VPQI. A complaint of retaliation shall be promptly investigated, and appropriate corrective measures shall be taken if retaliation allegations are substantiated. Protection from retaliation does not prohibit managers or supervisors from taking action, including disciplinary action.

### **Posting and Notification**

This policy shall be posted in CODI's offices, included in Universal Standard Operating Procedures, and communicated to new staff, interns, and volunteers as part of their orientation.