

The Arc Jefferson-St. Lawrence New York POLICY AND PROCEDURE	POLICY #: 508B	REVISION #/DATE:
BOARD APPROVAL DATE: N/A	DATE ISSUED:	EFFECTIVE DATE: 1/1/2019
TITLE: Corporate Compliance Plan Whistleblower/Anti-Retaliation/Non-Intimidation		PAGE: Page 1 of 2

Corporate Compliance Plan Summary

Element 8 Whistleblower/Anti-Retaliation/Non-Intimidation

1. Policy: The Arc Jefferson-St. Lawrence’s Code of Conduct specifically states our responsibility to ensure employees are treated with mutual respect. To this end, any employee who brings forth a compliance concern in good faith will have assurance of non-retaliation and non-intimidation. “*Good faith*” is defined as “a sincere belief or motive without any malice or the desire to defraud others.”
2. Scope: This policy applies to all employees, directors, officers, and volunteers of The Arc Jefferson-St. Lawrence.
3. Procedure:

A) Non-Retaliation/Non-Retribution/Non-Intimidation

- General Principles
 1. The Arc Jefferson-St. Lawrence will not impose any disciplinary or other action in retaliation against individuals who make a report or complaint in good faith regarding a practice that the individual believes may violate the Corporate Compliance Plan, Code of Conduct, its Compliance Policies, or any of the laws, rules or regulations by which the Agency is governed.
 2. “Good faith” means the individual believes the potential violation actually occurred as he or she is reporting it.
 3. All employees, directors, officers, and volunteers of The Arc Jefferson-St. Lawrence are strictly prohibited from engaging in any act, conduct, or behavior that results in, or is intended to result in, retaliation or retribution against any individual for reporting his or her concerns relating to a possible violation of the Corporate Compliance Plan, Code of Conduct, its Compliance Policies or any of the laws, rules or regulations by which the Agency is governed.
 4. The non-retribution/non-retaliation/non-intimidation provisions of this policy do not permit employees, directors, officers, or volunteers to avoid the consequences of their own wrongdoing by reporting such wrongdoing. Disciplinary actions taken against an employee, director or officer who reports his or her own wrongdoing will be a result of the wrongdoing itself, not the reporting of such wrongdoing and, therefore, are not to be considered retaliation or retribution. Self-reporting may however, be taken into account in determining the appropriate disciplinary action to be taken.
- Reporting Complaints

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1. If any employee, director, officer, or volunteer of The Arc Jefferson-St. Lawrence believes in good faith that he or she has been retaliated against for initiating a report or complaint or for participating in any investigation related to such report or complaint, then the employee, director, officer, or volunteer should report the retaliation to his or her supervisor, manager, the Corporate Compliance Officer, the Chief Human Resource Officer, or the Chief Executive Officer as soon as possible. The report should provide a thorough account of the incident(s) and should include names, dates of specific events (if available), the names of any witnesses and the location or name of any document in support of the alleged retaliation.
 2. The Arc Jefferson-St. Lawrence will conduct a thorough and objective investigation of the incident(s).
 3. Adverse actions in retaliation for an employee's report or complaint may result in discipline, up to and including termination.
- Discipline
 1. Any disciplinary action for violation of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which The Arc Jefferson-St. Lawrence is governed shall be imposed in accordance with The Arc Jefferson-St. Lawrence Code of Conduct.
 2. In the event an employee makes a frivolous, malicious or knowingly false report or complaint under this policy, the employee will be subject to appropriate discipline, up to and including termination.