

## POLICY STATEMENT

Functional Area: Whistleblower Policy

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<b>Related Policy:</b>	<b>NORDP Code of Conduct</b>
<b>Effective Date:</b>	<b>May 7, 2017</b>
<b>Approved by:</b>	<b>Board of Directors</b>
<b>Responsible Body:</b>	<b>Board of Directors</b>

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### I. POLICY STATEMENT

NORDP has a tradition of collegiality and shared governance, and strives to maintain this tradition as a core principle of its organizational culture. NORDP members come from all walks of life, and their varied perspectives, responsibilities, and contributions support the organization's overall mission. Civil and professional interactions by and among all NORDP members, staff, directors, officers, consultants and volunteers are essential to supporting NORDP's overall mission in an effective and ethical manner.

NORDP's members, staff, directors, officers, consultants and volunteers shall act at all times with honesty, integrity, and openness in their dealings as representatives of the organization. Failure to do so, if proven pursuant to the policies established in this document, will result in appropriate actions that may include termination of employment or consultancy; dismissal from a position as a member of the Board of Directors, a NORDP officer position, or a volunteer service position; and possible criminal or civil prosecution if circumstances warrant.

It is therefore crucial for NORDP to ensure the right of all of its members, staff, directors, officers, consultants and volunteers to perform their individual and collaborative roles in an environment free from incivility, misuse of authority, intimidation, retaliation, and infringement upon personal rights and freedoms. NORDP members, staff, directors, officers, consultants and volunteers are encouraged to report suspected incidents of unethical behavior (including, but not necessarily limited to fraudulent or dishonest conduct), pursuant to the procedures set forth hereafter.

It shall be the policy of NORDP that no officer, director, employee, consultant, volunteer, or agent of NORDP shall take any harmful action with the intent to retaliate against any person, including interference with that person's employment or livelihood, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any offense. Neither will any officer, director, employee, consultant, volunteer, or agent of NORDP take any harmful action with intent to retaliate against any other officer, director, employee, consultant, volunteer, or agent of NORDP for reporting to a NORDP officer or another appropriate member of NORDP's senior management the suspected misuse, misallocation, or theft of any NORDP resources.

#### *Safeguards:*

- *Harassment or Victimization.* NORDP will not tolerate any form of harassment or victimization for reporting any concern covered by this policy.
- *Confidentiality.* NORDP will make every reasonable effort to treat the complainant's identity with appropriate regard for confidentiality.
- *Anonymous Allegations.* This policy encourages individuals to put their names to allegations, because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be explored appropriately, but consideration will be given in such circumstances to:

- The seriousness of the issue raised
- The credibility of the concerns; and
- The likelihood of confirming the allegation(s) made from attributable sources.
- *Bad Faith Allegations.* Allegations made in bad faith may result in disciplinary action by NORDP and/or legal claims made by the individual(s) accused of misconduct.

## II. DEFINITIONS

- A. **Bad Faith Allegations.** Allegations shall be considered to be made in bad faith when they are not premised upon reasonable belief, arise from personal animosity against the individual(s) being accused of wrongful conduct, or arise from fraudulent or dishonest conduct.
- B. **Fraudulent or Dishonest Conduct.** Deliberate acts (or a deliberate failure to act when required to do so) committed with the intention of obtaining an unauthorized or inappropriate benefit. Examples of such conduct include, but are not necessarily limited to:
- a. Forgery or alteration of documents;
  - b. Unauthorized alteration or manipulation of computer files;
  - c. Fraudulent financial reporting;
  - d. Misappropriation or misuse of NORDP resources such as funds, supplies, information, or other assets;
  - e. Authorizing or receiving compensation for goods not received or services not performed; and
  - f. Authorizing or receiving compensation for hours not worked.
- C. **Retaliation.** Retaliation means conduct or actions performed or undertaken with the intent or primary effect of adversely affecting the terms or conditions of a whistleblower's employment or activities within NORDP. Such conduct or actions include, but are not necessarily limited to:
- a. Threats of physical harm or loss of a job, assignment, or position
  - b. Punitive work assignments
  - c. Adverse impacts on salary or fees due to the whistleblower
- D. **Whistleblower.** An officer, director, employee, consultant, volunteer, or agent of NORDP who informs his/her supervisor, a member of the NORDP Board of Directors, or a NORDP officer about activity relating to NORDP and its resources which that person reasonably believes to be fraudulent, dishonest, or inappropriate.
- E. **Supervisor.** For the purposes of this document, the term "supervisor" shall include both an individual formally tasked with the supervision and evaluation of an employee or a consultant, but also an individual in a leadership role with respect to others, such as the chair or co-chair of a NORDP committee in relation to other members of the same committee.

## III. PROCEDURES

### A. *Reporting Requirements and Responsibilities.*

Supervisors of NORDP employees, consultants, volunteers, or agents are required to report suspected fraudulent or dishonest conduct to the NORDP President (or, if the President is the

individual suspected of fraudulent or dishonest conduct, or if the complainant has reason to believe the President would be unable to investigate the issue thoroughly and dispassionately, to another NORDP officer). Reasonable care should be exercised in dealing with suspicions of 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 individuals' legal rights.

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Supervisors should not in any circumstances perform any investigative or other follow-up steps on their own. Accordingly, supervisors who become aware of suspected misconduct **should not** contact the person under suspicion to investigate the matter or to demand restitution. Neither should they discuss the allegations with anyone other than the NORDP President or the NORDP officer to whom the report was originally directed.

Complainants must be careful to avoid fabricated or malicious allegations (as defined earlier in this policy). If, upon investigation, it is determined that a complainant has made a baseless or fraudulent allegation of misconduct, then appropriate action may subsequently be taken against the complainant.

All complaints of retaliation will be promptly investigated and appropriate corrective measures will be taken if allegations of retaliation are substantiated. This protection against retaliation is not intended to prohibit supervisors, officers, directors, or agents of NORDP from taking action, including disciplinary action if warranted, in the usual scope of their duties and based on valid performance-related factors.

#### *B. Investigation*

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 should be taken if necessary, and findings will be communicated to the complainant and his/her supervisor, if applicable. Some concerns may be resolved without the need for formal investigation; others may warrant investigation by an independent authority such as auditors and/or attorneys.

#### *C. Whistleblower Protections*

NORDP will use reasonable efforts to protect whistleblowers against retaliation. Complaints will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and applicable laws and regulations. Generally, this means that complaints will only be shared with those who have a need to know so that NORDP can conduct an effective investigation, determine what actions (if any ) to take based on the results of such investigations, and, in appropriate cases, with law enforcement personnel. Should disciplinary or legal action be taken against one or more persons as a result of a complaint, such persons may also have the right to learn the identity of the complainant.

Officers, directors, employees, consultants, volunteers, and agents of NORDP may not retaliate against a complainant for informing NORDP leadership through appropriate channels about an activity which the complainant reasonably believes to be fraudulent or dishonest. Complainants who believe that they have been retaliated against must file a written complaint with the NORDP President or another appropriate NORDP officer.

*Approved by the Board of Directors at its annual meeting, May 7, 2017.*