

# **Whistleblower Policy**

## **Port Jervis Community Development Agency (PJCDA)**

The PJCDA requires board members, employees, contractors and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the PJCDA must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

### **Reporting Responsibility**

It is the responsibility of all board members, employees, contractors and volunteers to report ethics violations or suspected violations in accordance with this Whistleblower Policy.

Appropriate subjects to raise under this policy include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies.

### **Reporting Procedures and Corrective Action for Employees**

Employees should first discuss their concern, in confidence, with the PJCDA's Executive Director. If after speaking with the executive director, the employee is convinced that his or her concern is unwarranted or that, in the opinion of the employee, the executive director will take appropriate steps to resolve the employee's concern, no further action is required by the employee.

However, further action is required if the employee (a) continues to have reasonable grounds to believe the concern is valid and that the response of the executive director is not adequate or (b) the executive director recommends that the issue should be referred to a higher level in the organization. In this situation, the employee should write a formal complaint to the PJCDA's Board Chairman who will investigate the matter promptly.

If the employee's supervisor is the subject of the employee's concern or is possibly involved, the employee may choose to discuss their concern directly and in confidence with the PJCDA's Board Chairman and then write a formal complaint. It is the responsibility of the PJCDA Board Chairman to investigate promptly the circumstances of the complaint.

In extraordinary circumstances and after due consideration, an employee who suspects or believes that the executive director and/or Board Chairman is involved in unethical or illegal behavior, may take his or her concerns directly to the Board Vice-Chairman, Treasurer or Secretary.

### **Reporting Procedures and Corrective Action for Individuals Not Employed By The PJCDA**

Individuals who are not employees of the PJCDA should submit their concerns in writing directly to the Chairman of the Board. If the Chairman of the Board is not available or is the subject of the concern, the complaint should be directed to the Vice-Chairman of the PJCDA Board of Directors.

The Chairman or Vice-Chairman shall be responsible for designating an appropriate committee, as circumstances dictate, to investigate and make appropriate recommendations to the PJCDA Board of Directors with respect to all concerns received in writing. The designated committee has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

The Chairman or Vice-Chairman shall inform the originator of the receipt of the written complaint. All PJCDA Board members shall be informed of the nature of the complaint with emphasis on maintaining the confidentiality appropriate for personnel issues.

The PJCDA Board of Directors shall resolve all complaints in a timely fashion and inform the individual submitting the complaint of the Board's final action.

### **No Retaliation**

No board member, employee, contractor or volunteer who in good faith reports an ethics violation shall suffer harassment, retaliation, or adverse employment consequence. PJCDA shall not fire, discharge, demote, suspend, threaten, harass or discriminate against an employee because of the employee's role as a whistleblower, insofar as the actions taken by the employee are legal. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns, in good faith, within the PJCDA prior to seeking resolution outside the PJCDA.

### **Acting In Good Faith**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing information disclosed indicates financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies.

The act of making allegations which prove to be unsubstantiated and to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment or dismissal from the trustee or volunteer position. Such conduct may also give rise to other actions, including civil lawsuits.

### **Confidentiality**

Reports of concerns and their investigations shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

Adopted by the Port Jervis Community Development Agency  
Board of Directors on September 25, 2019