

# Havasu Community Health Foundation

## Whistleblower Protection Policy

[BOARD APPROVED: August 21, 2014](#)

The Havasu Community Health Foundation requires directors, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Havasu Community Health Foundation, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### I. Application

The Havasu Community Health Foundation's Whistleblower Protection Policy applies to all of the Foundation's staff, whether full-time, part-time, temporary employees, or volunteers, to all who provide contract services, and to all officers and directors, each of whom shall be entitled to protection.

### II. Reporting Credible Information

A protected person shall be encouraged to report information relating to illegal practices or violations of policies of the Foundation. (A "Violation") that such person in good faith has reasonable cause to believe is credible. Such information shall be reported to any member of the Executive Board of Directors, or the Treasurer (*in this capacity shall be known as the Compliance Officer*) unless the report relates to one of them, in which case the report shall be made directly to the Board of Directors which shall be responsible to provide an alternative procedure.

- a. Anyone reporting a Violation must act in good faith and have reasonable grounds for believing that the information shared in the report indicates that a Violation has occurred.

### III. Investigating Information

The Compliance Officer shall promptly investigate each such report and prepare a written report to the Board of Directors. In connection with such investigation, all persons entitled to protection shall provide a Compliance Officer with credible information. All actions of the Compliance Officer in receiving and investigating the report and additional information shall endeavor to protect the confidentiality of all persons entitled to protection.

#### IV. Confidentiality

The Foundation encourages anyone reporting a Violation to identify him or herself when making a report in order to facilitate the investigation of the Violation. However, reports may be submitted anonymously to the Board of Directors. Reports of Violations or suspected Violations will be kept confidential to the extent possible, with the understanding that confidentiality may not be maintained where identification is required by law or in order to enable the Foundation or law enforcement to conduct an adequate investigation.

#### V. Protection from Retaliation

No person entitled to protection shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this Policy. Any person entitled to protection who believes that he or she is the subject of any form of retaliation for such participation should immediately report the same as a violation of and in accordance with this Policy.

Any individual within the Foundation who retaliates against another individual who has reported a Violation in good faith or who, in good faith, has cooperated in the investigation of a Violation is subject to discipline, including termination of employment or volunteer status.

#### VI. Dissemination and Implementation of Policy

This Policy shall be disseminated in writing to all affected constituencies. The Foundation shall adopt procedures for implementation of the Policy, which may include:

- a. Documenting reported Violations;
- b. Working with legal counsel to decide whether the reported Violation requires review by the Compliance Officer or should be directed to another person or the Board of Directors;
- c. Keeping the Board of Directors informed of the progress of the investigation;
- d. Interviewing employees;
- e. Requesting and reviewing relevant documents, and/or requesting that an auditor or counsel investigate the complaint; and
- f. Preparing a written record of the reported violation and its disposition, to be retained for a specified period of time.

The procedures for implementation of this Policy shall include a process for communicating with a complainant about the status of the complaint, to the extent that the complainant's identity is disclosed, and to the extent consistent with any privacy or confidentiality limitations.

#### *Arizona Law*

*Code Section 23-425 & 23-418* Prohibited Employer Activity Cannot discharge or discriminate if an employee files a complaint, institutes a proceeding, or testifies regarding a violation of health or safety statutes Protection for Public or Private Employees? Both Opportunities for Employer to Correct? - Remedies May file a complaint with the commissioner within 30 days of violation for reinstatement, back pay, and other appropriate relief Penalties If willful or repeated violating: maximum \$7,000 for each violation; minimum \$5,000 for each violation - See more at: <http://statelaws.findlaw.com/arizona-law/arizona-whistleblower-laws.html#sthash.EOEplKBr.dpuf>

National Council of Non-Profits  
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