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**Document Destruction Policy**

The Women in Construction New Mexico (WIC-NM) acknowledges its responsibility to preserve information relating to litigation, audits and investigations. The Sarbanes-Oxley Act of July 30, 2002, makes it a crime to alter, cover up, falsify, or destroy any document to prevent its use in an official proceeding. Failure on the part of person(s) responsible for retaining these records to follow this policy can result in possible civil and criminal sanctions against WIC-NM and possible disciplinary action against responsible individuals. Each responsible person has an obligation to contact the WIC-NM Executive Board of a potential or actual litigation, external audit, investigation or similar proceeding involving WIC-NM that may have an impact as well on the approved records retention schedule.

**Adopted May 8, 2019**

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**Whistle-Blower/Code of Conduct Policy**

In keeping with the policy of maintaining the highest standards of conduct and ethics WIC-NM will investigate any suspected fraudulent or dishonest use or misuse of WIC-NM’s resources or property by staff, board members, consultants or volunteers. WIC-NM is committed to maintaining the highest standards of conduct and ethical behavior and promotes an environment that values respect, fairness and integrity. All staff, board members and volunteers shall act with honesty, integrity and openness in all their dealings as representatives for the organization. Failure to follow these standards will result in disciplinary action including possible termination of agreements, dismissal from one’s board or volunteer duties and possible civil or criminal prosecution if warranted.

Staff, board members, consultants and volunteers are encouraged to report suspected fraudulent or dishonest conduct (i.e. to act as “whistle-blower”), pursuant to the procedures set forth below.

**Reporting**

A person’s concerns about possible fraudulent or dishonest use or misuse of resources or property should be reported to an officer of the WIC-NM Board of Directors. If for any reason a person finds it difficult to report to an officer of the WIC-NM Board of Directors, the person may report the concerns directly to any other WIC-NM Board Member. Alternately, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

**Definitions**

Baseless Allegations: Allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action by WIC-NM, and/or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct: A deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

• Forgery or alteration of documents;

• Unauthorized alteration or manipulation of computer files;

• Fraudulent financial reporting;

• Pursuit of a benefit or advantage in violation of WIC-NM’s *Conflict of Interest Policy;*

• Misappropriation or misuse of WIC-NM resources, such as funds, supplies, or other assets;

• Authorizing or receiving compensation for goods not received or services not performed; and

• Authorizing or receiving compensation for hours not worked

**Rights and Responsibilities**

Staff and Volunteers

Staff and volunteers are required to report suspected fraudulent or dishonest conduct to an officer of the Board of Directors.

Reasonable care should be taken in dealing with suspected 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 a person’s rights under law

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Responsible persons, while appropriately concerned about “getting to the bottom” of such issues, should not in any circumstances perform any investigative or other follow up steps on their own. Accordingly, a responsible person who becomes aware of suspected misconduct:

• should not contact the person suspected to further investigate the matter or demand restitution.

• should not discuss the case with attorneys, the media or anyone other than an officer of the Board of Directors

• should not report the case to an authorized law enforcement officer without first discussing the case with an officer of the Board of Directors

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 by an appointed committee comprised of WIC-NM Board Members. Appropriate corrective action will be taken, if necessary, and findings will be communicated back to the reporting person. Investigations may warrant investigation by an independent person such as auditors and/or attorneys.

Whistle-Blower Protection

WIC-NM will protect whistle-blowers as defined below.

• WIC-NM will use its best efforts to protect whistle-blowers against retaliation. Whistle-blowing complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally this means that whistle-blower complaints will only be shared with those who have a need to know so that WIC-NM can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. (Should disciplinary or legal action be taken against a person or persons as a result of a whistle-blower complaint, such persons may also have right to know the identity of the whistle-blower.)

• Staff, Board Members, and volunteers of WIC-NM may not retaliate against a whistle-blower for informing an officer of the WIC-NM Board of Directors about an activity which that person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistle-blower’s association membership, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or fees. Whistle-blowers who believe that they have been retaliated against may file a written complaint with an officer of the Board of Directors. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated.

• Whistle-blowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

**Adopted May 8, 2019**