



Policy #:	70.730.A.1
Related Policy:	
Effective Date:	10/01/2021
Department/Program:	Human Resources
Policy Holder:	Administration
Approved by:	Board
Approved Date:	09/30/2021

Whistleblower and Grievance Policy and Procedure

Applies to:

Board of Directors, management, all staff, clients, and volunteers

Policy Statement:

Share has designed this Whistleblower and Grievance Policy and Procedure (the “Policy”) to comply with the listing requirements of the IRS and audit requirements that include local and federal regulations. Share’s Code of Ethics and Conduct requires directors, officers, volunteers 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 organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Purpose of the Policy:

It is of utmost importance to Share to investigate all claims or complaints of fraudulent or otherwise illegal or inappropriate acts relating to its financial practices or operating procedures. Share will take all appropriate action to remedy such violations should they occur, but Share’s ultimate goal is to prevent and deter all violations. To accomplish this goal, Share encourages all employees and other interested persons to report any potential violations. In addition, Share believes that employees and other interested persons should be able to make such complaints confidentially and anonymously and without the threat of retaliation. This policy applies to Board members, Share employees, volunteers, and the general public and is posted on Share’s website [here](#).

Policy Details

- Reporting a Complaint** - Share maintains an open-door policy and Board Directors, volunteers, and employees are encouraged to share their questions, concerns, suggestions, or complaints with someone who can address them properly. Most often, the management staff responsible for the area of concern is in the best position to address the situation. However, if employees, Board Directors, or volunteers are not satisfied with the supervisor’s response, or are uncomfortable bringing the concern to the direct supervisor, they are encouraged to address concerns with anyone in the management team of Share whom they are comfortable approaching, or with the Board President. Supervisors or program directors are required to report suspected violations of the Code of Conduct to the Board President. The Board President is responsible for investigating all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following the organization’s open door policy, individuals should contact the Board President directly. Contact information for all appropriate parties can be found at the end of this policy.



Complaints may be oral, but employees or other interested persons are encouraged to put their complaints in writing. The complaint should be detailed and should contain as much factual information as possible rather than speculation or guessing. Share may or may not decide to pursue an investigation of the complaint, based upon the content of the complaint. All complaints should be made in good faith and with the reasonable belief that a violation has occurred or may occur in the future. If the complaint is found to have been made maliciously, knowingly to be false, or in bad faith, the employee's actions will be viewed as a serious disciplinary offense and the employee will face appropriate disciplinary action, which may include discharge.

If an employee, volunteer, board director, or other interested person believes that Share or any of its directors, officers, employees or agents has engaged in fraudulent or otherwise illegal or inappropriate acts relating to Share's policies, that person should report the potential violation directly to the Board President or any of the officers of the board.

Employees or other interested persons may make complaints anonymously if they so choose. The complaint may be delivered by mail, email, or in person. Additionally, complaints may be filed on the Share website by submitting a contact form [here](#). All complaints should be marked "Confidential" and "Private" when possible.

The complainant should submit the complaint as soon as possible but no later than 60 calendar days after alleged violation. The timeline for resolving a complaint will vary depending on the severity of the claim and the method of reporting. However, the complaint will be addressed with a response from Share and a course of action within 3 days and a resolution will be sought within 30 days of submission date that will explain the position of Share and/or offer options for resolution or mediation.

- II. **Investigating a Complaint** - The Board President shall investigate and resolve all reported complaints and allegations concerning violations. At his/her discretion, the President may advise the Executive Director and/or Executive Committee and/or the Finance Committee and/or full board. The Board President will determine whether enough evidence exists to begin a formal investigation. The Board President may confer with other internal (e.g., management) and external (e.g., outside counsel or independent auditors) advisors in making this determination. If the Board President determines that a formal investigation should be made, the full Board shall review all of the facts and evidence in existence and decide as to whether a formal investigation should proceed. If the full Board decides that a formal investigation is appropriate, then the Board President shall oversee and conduct the formal investigation in accordance with the guidelines in this Policy. The Board President shall regularly report progress to the full Board and shall make a final report when the investigation is completed. The Board President may retain outside counsel or other advisors if he/she deems it necessary to carry out the investigation. The Board President shall communicate his/her decision to the person who made the complaint (unless it was made anonymously), the Finance Committee and Board of Directors and members of management when appropriate.

All parties involved with a complaint or subsequent investigation shall treat all correspondence confidentially and shall not reveal any information about the complaint



to another party unless such a communication is necessary and authorized in conjunction with the investigation or this Policy.

The Finance Committee of the board of directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Board President shall immediately notify the Treasurer who will then notify the full committee of any such complaint, and work with the committee until the matter is resolved.

If the Board President determines that there is insufficient evidence to proceed with a formal investigation, then he/she shall report this finding to the board and the board shall retain any documents associated with the initial investigation in accordance with Section VII of this Policy.

- III. **Confidentiality** - Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
- IV. **Corrective Action** - After the formal investigation, the Board President, Committee or full board shall determine what corrective action, if any, is appropriate. The Board President shall, when appropriate, inform Share management of a violation so that management may take the appropriate or required corrective action, including reporting the violation to the appropriate governmental authorities. Any employee who violates any Law or Company policy regarding Financial Practices will face appropriate disciplinary action, which may include discharge.
- V. **Retaliation Not Permitted** - Share, employees and/or agents of Share may not discharge, demote, suspend, threaten, harass or in any other manner discriminate against a person with respect to the employee's employment because of any lawful act done by the employee:
 - A. to provide information or otherwise assist in an investigation by a federal regulatory authority, law enforcement agency or any person authorized to investigate a complaint or with supervisory authority over the employee relating to or involving a violation of any federal fraud statute, or regulations or any other Law relating to fraud; or
 - B. to file, cause to be filed, testify, participate in or otherwise assist in a proceeding or investigation relating to or involving a violation of any federal fraud statute, or regulations or any other Law relating to fraud; or
 - C. to submit a complaint pursuant to this Policy (unless submitted in bad faith). An employee who retaliates against another employee in violation of this Policy will face appropriate disciplinary action, which may include discharge.
- VI. **Retention of Documents** - All complaints submitted in written form and all written materials produced or acquired pursuant to an investigation under this Policy shall be kept confidential to the extent possible (consistent with the need to conduct an adequate investigation) and shall be retained by the Board for not less than seven years.



- VII. **Contact Information** - To submit a complaint, grievance, or request a conversation about a potential violation directly in person, please contact the Deputy Director, a Board Director using the [Board Directory](#) or a staff member using the [Staff](#) Directory.

Resources

[Board of Directors Contact Information](#)

[Staff Contact Information](#)

[Grievance Policy and Procedure on Share website](#)