

WHISTLEBLOWER COMPLIANCE

A whistleblower as defined by this policy is an employee of RAILS who reports an activity that they consider to be illegal, ~~unethical, or harmful~~ ~~or dishonest~~ to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

An example of an illegal ~~or dishonest~~, ~~unethical, or harmful~~ activity is a violation of federal, state or local laws, rules, or regulations, or financial wrongdoing. If an employee has knowledge of or a concern about illegal or dishonest fraudulent activity, the employee is to ~~contact~~ file a report with the Executive Director or, if the report relates to the Executive Director, the President of the RAILS Board or the Human Resources Director. The person receiving the whistleblower's report must formalize the report in writing. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas—maintaining confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. A whistleblower may also waive confidentiality in writing. RAILS will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes they are being retaliated against must contact the Executive Director immediately, or, if the alleged retaliation involves the Executive Director, a whistleblower may contact a member of the RAILS Board or the Human Resources Director. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal ~~and dishonest~~, ~~unethical, or harmful~~ activities should be promptly submitted to the Executive Director for investigating and coordinating corrective action. In the event the Executive Director is the accused, reports of illegal and dishonest activities or retaliation should be promptly submitted to the President of the RAILS Board of Directors or the Human Resources Director.

All reports will be promptly investigated, and appropriate corrective action will be recommended to the RAILS Board, if warranted by the investigation. Once the investigation is complete, the Executive Director and Board will complete a final report with findings and outcomes. The Executive Director will notify the reporting individual(s) and all affected person(s) or parties of the investigation's final report.