

Policy Title: Whistleblower Policy
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Whistleblower Policy

Policy Statement

This policy is intended to encourage Board members, staff and others to report suspected or actual occurrence(s) of illegal, unethical or inappropriate events (behaviors or practices) without retribution. A person or entity making a protected disclosure is commonly referred to as a whistleblower. Whistleblowers may be employees, Board members, applicants for employment, students, patients, vendors, contractors or the general public. The whistleblower's role is as a reporting party. They are not investigators or finders of fact, nor do they determine the appropriate corrective or remedial action that may be warranted.

Purpose

NCIRE is committed to the highest standards of corporate ethics and legal compliance. This Whistleblower Policy establishes a system to provide all individuals associated with NCIRE a means to report concerns about financial reporting or suspected violations of its policies and procedures, or national, state, or local laws and regulations.

Scope

This policy applies to all Board members and staff, and with laboratories that are organizationally related or affiliated with NCIRE. Any employee, supervisor, manager, partner, officer, director, vendor, subject, independent contractor or agent of NCIRE.

Approach

Directors, managers, supervisors, employees and anyone contractually working for NCIRE have an ethical responsibility to report any violations or possible violations of NCIRE's policies and procedures, or national, state or local laws and regulations.

Scope of Reporting

Examples of compliance issues that require reporting include but are not limited to:

1. perceived systematic problems with NCIRE programs or operations
2. improper use or storage of chemicals
3. violations of research protocols
4. theft, bribes or kickbacks
5. fraudulent transactions
6. conflicts of interest
7. computer tampering
8. improper political activity within the workplace
9. improper or unauthorized expenditures of grant funds or NCIRE funds

10. any action to fraudulently influence, coerce, manipulate or mislead authorities
11. lack of compliance to VA established standards

How Complaints May Be Made

NCIRE believes in fostering a positive working environment in which all individuals are empowered and encouraged to come forward with information to express any constructive concerns or issues. To that end, NCIRE has adopted an "Open Door Policy", and we have implemented several ways that an individual may report concerns. An individual may report their concerns via:

1. their supervisor or manager
2. NCIRE Confidential Hotline – 415 726-2173
3. contacting the Manager of Human Resources x26109
4. contacting any member of NCIRE's Executive Management Team.
5. contacting the Compliance and Business Integrity office of the SFVAHC system 415-221-4810 x24398 or via cell phone at 415-716-7392.

Anonymity

When employees report an issue, they may choose whether to identify themselves or not. If anonymity is requested, then the employee will be assigned a unique, confidential identifier for the purposes of further communication. Should the whistleblower self-disclose his or her identity, NCIRE will no longer be obligated to maintain such confidence.

Nature of Report

Submissions should be factual. Reporting persons should avoid speculation and be as specific as possible. This will help others better assess the nature, extent and urgency of preliminary investigation procedures. The submission should, to the extent feasible, contain at least the following information:

1. the alleged event, matter or issue that is the subject of the submission
2. the names of the persons involved and their department or departments
3. if the submission involves a specific event or events, the approximate date of each such event
4. the location where such event occurred
5. additional information, documentation or other evidence available to support the submission

Post-Submission Procedures

Information provided by the Whistleblower is treated confidentially and as privileged to the extent permitted by applicable law. Reporting persons should be aware if the incident requires government authority or SFVAMC involvement, the reporting person may have to reveal his or her identity per the course of the investigation.

Rights of Employees Under the Whistleblower Policy

NCIRE will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, senior management of NCIRE, Human Resources, the Board of Directors or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

NCIRE will swiftly and thoroughly investigate any action against an employee that believes they have been the target of retaliatory conduct in violation of this policy. In addition, NCIRE will not, with the

intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel or a court truthful information relating to the commission or possible commission by NCIRE or any of its employees of a violation of any applicable law or regulation.

Violations

Any employee who violates this policy may be subject to discipline up to and including termination for cause. Additionally, NCIRE may at its discretion seek legal remedies for damages incurred as a result of any violation. NCIRE may also be required by law to report certain illegal activities to the proper enforcement agencies.