

New York - New Jersey Trail Conference

Whistleblower Policy

Approved by the Board of Directors December 1, 2020

General

The New York-New Jersey Trail Conference expects its officers, directors, employees and volunteers to observe high standards of honesty and integrity and comply with applicable laws and regulations in the conduct of their duties and responsibilities.

As used below in this policy, the term "Wrongful Conduct" refers to any action or suspected action taken by or within the Trail Conference that is illegal, fraudulent or in violation of any adopted policy of the Trail Conference. A "Whistleblower" as defined in this policy is an officer, director, key person, employee or volunteer of the Trail Conference who reports activity that he or she considers to be Wrongful Conduct to one or more of the parties specified below in the "Reporting" section of this policy.

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that the Trail Conference can address and correct inappropriate conduct. The Whistleblower is not, however, responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

The Executive Director shall cause copies of this Whistleblower Policy to be distributed to all officers, directors, key persons and employees, and to all volunteers who provide, in the judgment of the Executive Director, substantial services to the Trail Conference and such distribution may be achieved by posting this policy on the Trail Conference's website or at the Trail Conference's offices in a conspicuous location accessible to employees and volunteers.

Reporting

If an employee or volunteer has knowledge of or well-founded suspicion concerning Wrongful Conduct, the employee or volunteer shall:

- report the circumstances to his or her immediate supervisor, unless the employee or volunteer has reason to believe that the supervisor is involved or unresponsive, in which case:
- the employee or volunteer shall report the circumstances to the Executive Director, unless he or she believes that the Executive Director is involved or unresponsive, in which case:
- the employee or volunteer shall report the circumstances to any of the following: the Board Chair, Vice Chair or Board Secretary.

If an officer or director of the Trail Conference has knowledge of or well-founded suspicion concerning Wrongful Conduct, the officer or director shall report the circumstances to any of the following: the Board Chair, Vice Chair, Board Secretary or the Executive Director.

Examples of Actions to be Reported

The following are examples of Wrongful Conduct required to be reported: violations of federal, state or local laws; serious violations of adopted Trail Conference policies for personal financial gain; fraudulent activity, including but not limited to billing for services not performed, or for goods not delivered, or for expenses not incurred; self-dealing for personal gain in connection with negotiations or transactions with third parties; or, except as may be authorized by the Board, the use of Trail Conference property, resources or authority for personal gain or other non-Trail Conference purpose. The foregoing examples are illustrative and are not intended to exclude other instances of Wrongful Conduct that must be reported under this policy.

Acting in Good Faith

Anyone reporting Wrongful Conduct must be acting in good faith and have reasonable grounds for believing that the information disclosed indicates Wrongful Conduct. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Insofar as possible, the confidentiality of the Whistleblower will be maintained. However, the identity of the Whistleblower may have to be disclosed to conduct a thorough investigation, to comply with applicable law or to provide accused individuals their legal rights of defense.

No Retaliation

No Whistleblower who in good faith reports Wrongful Conduct will suffer harassment, retaliation, intimidation, discrimination or adverse consequence to employment or other position with the Trail Conference. Any director, officer, employee or volunteer who retaliates against anyone who has reported Wrongful Conduct in good faith is subject to discipline up to and including termination of employment or removal from the Board of Directors, as applicable.

Handling of Reported Wrongful Conduct

Promptly following the delivery of a report of Wrongful Conduct in the manner specified above in the "Reporting" section in this policy, the report shall be submitted to the Executive Director and Board Chair, who (excepting any of the foregoing alleged to be involved in the Wrongful Act) are together responsible for investigating and coordinating corrective and/or disciplinary action.

Administration of the Policy

The Board Chair shall administer this policy and report to the Board or the Governance Committee, except that directors who are employees may not participate in any Board or committee deliberations or voting related to administration of this policy.

Any person who is the subject of a whistleblower complaint may not be present at or participate in Board or committee deliberations or vote on the matter relating to such complaint, but this shall not prevent the Board or committee from requesting that the person who is subject to the complaint present information as background or answer questions at a committee or Board meeting prior to the commencement of deliberations or voting relating thereto.