



The Arc of Ulster-Greene
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POLICY STATEMENT

Topic: Reporting Compliance Concerns/Whistleblower and Anti-Retaliation Date Effective: 10/13/08

Revised New Section: Corporate Compliance Number: 10.14

Date: 10/9/18 Approved by: *Jemme*

POLICY

Strict adherence to The Arc of Ulster-Greene, The Arc of New York, Inc.'s, Corporate Compliance Plan and Code of Conduct is vital. The Arc of Ulster-Greene, The Arc of New York, Inc., requires all employees, directors, officers, and volunteers to promptly report any known or suspected violations of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which The Arc of Ulster-Greene, The Arc of New York, Inc. is governed.

This Policy governs the procedure to be used by employees, directors, board members, and volunteers to report compliance concerns and seeks to ensure that The Arc of Ulster-Greene, The Arc of New York, Inc. provides an environment that encourages individuals to report any suspected violations without fear of retaliation or retribution.

SCOPE

This Policy applies to all employees, directors, board members, and volunteers of The Arc of Ulster-Greene, The Arc of New York, Inc. This policy must be distributed to all directors, board members, and volunteers who provide substantial services to The Arc of Ulster-Greene, NYSARC, Inc. Distribution is satisfied through the posting of this policy to The Arc of Ulster-Greene's website or at the corporate offices in a conspicuous location available to employees and volunteers. The Board oversees implementation of and compliance with this policy.

PROCEDURE

DUTY TO REPORT

Employees, directors, board members, and volunteers are required to report any known or suspected violations of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which The Arc of Ulster-Greene, The Arc of New York, Inc., is governed to their supervisor, manager, the Director of Quality Management/Corporate Compliance or designee or through The Arc of Ulster-Greene, The Arc of New York, Inc.'s Corporate Compliance Hotline.

Employees, directors, board members, and volunteers may report compliance concerns confidentially to The Arc of Ulster-Greene, The Arc of New York, Inc. Compliance Hotline. The Compliance Hotline can be accessed by calling the main number or by calling it directly at (845) 331-2408. Callers to the Compliance Hotline may make reports anonymously. No caller will be required to disclose his or her identity, and no attempt will be made to trace the source of the call or identity of the caller when the caller requests anonymity.

If a caller has revealed his or her identity, confidentiality will be maintained to the extent practicable and allowed by law. Callers should be aware, however, that it may not be possible to preserve anonymity if they identify themselves, provide other information that identifies them, the investigation reveals their identity, or they inform people that they have called the Compliance Hotline. Callers should also be aware that The Arc of Ulster-Greene, The Arc of New York, Inc. is legally required to report certain types of crimes or potential crimes and infractions to external governmental agencies.

The Compliance Hotline telephone number is visibly posted in a manner consistent with employee notification in locations frequented by The Arc of Ulster-Greene, The Arc of New York, Inc. employees, directors, board members, and volunteers.

CONFIDENTIALITY OF REPORTS

The Arc of Ulster-Greene, The Arc of New York, Inc. treats all reports made under this policy confidentially and to protect the identity of the individual who has made a report to the maximum extent possible consistent with fair and rigorous enforcement of the Corporate Compliance Program and Code of Conduct.

TRACKING/INVESTIGATIONS OF REPORTS

Any manager or supervisor who receives a report of a suspected violation shall report the complaint/concern to the Director of Quality Management/Corporate Compliance or designee. S/he shall communicate the complaint/concern in writing (either by sending an e-mail, interoffice mail or he/she may complete a Corporate Compliance Reporting Form (*See* Exhibit A). Upon receipt of a Corporate Compliance Reporting Complaint, the Director of Quality Management/Corporate Compliance or designee conducts an investigation in accordance with The Arc of Ulster-Greene, The Arc of New York, Inc.'s, compliance investigation policy #10.09.

Employees, directors, board members volunteers, and associates are required to participate in good faith, in the timely resolution of compliance issues, including suspected violations of the Code of Conduct, Corporate Compliance Plan, Policy and Procedures, and regulations, by assisting with audits, investigation, interviews with supervisors, compliance staff, or oversight agency reviewers. The Corporate Compliance Officer shall prepare a report for The Arc of

M. LeBlanc

10/9/2018

Ulster-Greene, The Arc of New York, Inc. Board of Directors at least annually summarizing incidents reported, investigatory findings and any corrective actions taken.

The person who is subject of the whistleblower complaint may not be present or participate in board or committee deliberations or vote on the matter relating to the complaint (except that nothing prohibits the person from providing background information or answering questions before deliberations/voting begin).

NON-RETALIATION/NON-RETRIBUTION

General Principles:

The Arc of Ulster-Greene, The Arc of New York, Inc., does not impose any disciplinary or other action in retaliation, including intimidation, harassment, and discrimination, against individuals who make a report or complaint, in good faith, regarding any action or suspected action that the individual believes may violate The Arc of Ulster-Greene, The Arc of New York, Inc.'s, Corporate Compliance Plan, Code of Conduct, Compliance Policies, or any of the laws, rules or regulations by which The Arc of Ulster-Greene, The Arc of New York, Inc., is governed. "Good faith" means the individual believes the potential violation actually occurred as he or she is reporting it.

All employees, directors, board members, volunteers, and associates of The Arc of Ulster-Greene, The Arc of New York, Inc., are strictly prohibited from engaging in any act, conduct or behavior which results in, or is intended to result in, intimidation, retaliation, or retribution against any individual for reporting his or her concerns relating to a possible violation, or participation in The Arc of Ulster-Greene, The Arc of New York, Inc.'s, Corporate Compliance Plan, Code of Conduct, Compliance Policies or any of the laws, rules or regulations by which The Arc of Ulster-Greene, The Arc of New York, Inc., is governed.

The non-intimidation/non-retaliation provisions of this Policy do not permit employees, directors, board members, or volunteers to avoid the consequences of their own wrongdoing by reporting such wrongdoing. Disciplinary actions taken against an employee, director, board member, or volunteer who reports his or her own wrongdoing will be a result of the wrongdoing itself, not the reporting of such wrongdoing and, therefore, are not considered retaliation or retribution. Self-reporting may however, be taken into account in determining the appropriate disciplinary action to be taken.

REPORTING COMPLAINTS

If an Arc of Ulster-Greene, The Arc of New York, Inc., employee, director, board member, volunteer or associate believes in good faith that he or she has been intimidated or retaliated against for initiating a report or complaint or for participating in any investigation related to such report or complaint, or other good faith participation in the agency's Compliance Plan, then The Arc of Ulster-Greene, The Arc of New York, Inc., employee, director, board member, or volunteer should report the retaliation to his or her supervisor, manager, the Director of Quality Management/Corporate Compliance or designee or The Arc of Ulster-Greene, The Arc of New

York, Inc.'s, Compliance Hotline as soon as possible. The report should provide a thorough account of the incident(s) and should include names, dates of specific events (if available), the names of any witnesses and the location or name of any document in support of the alleged retaliation.

The Arc of Ulster-Greene, The Arc of New York, Inc., will conduct a thorough and objective investigation of the incident(s).

Adverse actions in retaliation or intimidation for an individual's report, complaint, or participation in the Compliance Plan may result in discipline up to and including termination.

DISCIPLINE

Any disciplinary action for violation of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which The Arc of Ulster-Greene, The Arc of New York, Inc., is governed shall be imposed in accordance with The Arc of Ulster-Greene, The Arc of New York, Inc.'s, Discipline Policy as described in the human resources policy manual, section 7.

IN THE EVENT AN EMPLOYEE MAKES A FRIVOLOUS, MALICIOUS OR KNOWINGLY FALSE REPORT OR COMPLAINT UNDER THIS POLICY, THE EMPLOYEE WILL BE SUBJECT TO APPROPRIATE DISCIPLINE UP TO AND INCLUDING TERMINATION.

Exhibits

Exhibit A—Corporate Compliance Reporting Form

Exhibit A
The Arc of Ulster-Greene
CORPORATE COMPLIANCE
REPORTING FORM

DATE OF COMPLAINT: _____

DATE REPORTED TO COMPLIANCE: _____

BRIEF DESCRIPTION OF QUESTION/ISSUE:

SIGNATURE & DATE: _____

PRINT NAME & TITLE: _____

DEPT. & PHONE: _____

Below is to be completed by Compliance Staff Only:

MANNER OF INVESTIGATION (CHECK ALL THAT APPLY):

Observation Other

Interviewed (list names)	_____	Audit (list records checked)	_____
	_____		_____
	_____		_____

BRIEF SUMMARY OF INVESTIGATION:

CONCLUSION / RESOLUTION / RECOMMENDATIONS

SIGNATURE & DATE: _____

PRINT NAME & TITLE: _____

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10/9/2018