

CHALLENGE INDUSTRIES, INC. WHISTLEBLOWER PROTECTION POLICY

Commitment to Ethical Conduct

Challenge staff and volunteers are expected to adhere to the highest ethical standards. Making a report to the appropriate authority should be done as an ethical response to wrong-doing or suspected wrong-doing.

Required Reporting

Any violation of law, government regulation, Challenge policy or procedure should be reported to the appropriate person. In addition, each staff person is responsible to make sure reportable incidents concerning consumers are reported. Suspected violations should be reported to the appropriate person, with the expectation that the appropriate person may help to uncover the fact that a violation did not in fact occur.

Procedure for Reporting Wrong-doing

In most instances of wrong-doing, the staff member or volunteer should make a report to his or her immediate supervisor, unless the supervisor is suspected of being involved in the wrong-doing. If the immediate supervisor is suspected of being involved, the report should be made to the next higher-level supervisor not suspected of being involved.

If the immediate supervisor is not available, then the report should be made to the next higher-level supervisor to whom the staff member or volunteer would normally report.

If a staff member or volunteer suspects that a violation is being committed on an organization-wide level or by top management, then the staff member or volunteer should report the wrong-doing to the President of the Board.

Procedure for Reporting to Regulatory Agencies

Some incidents must be reported to OMRDD, OMH, the State Education Department or to other regulatory agencies. The staff member or volunteer who discovers an incident which should be reported should notify a Challenge Services Department staff member to make that report, unless that Services Department staff member is suspected of being involved in the wrong-doing. Then the notification should be made to the next higher-level Services Department supervisor or Challenge executive not suspected of being involved.

If a staff member or volunteer suspects that a reportable violation is being committed on an organization-wide level or by top management, then the staff member or volunteer should report the wrong-doing directly to the regulatory agency.

Reporting a Crime

A staff member or volunteer has the responsibility to report a crime in process just as any citizen should: to call for law enforcement intervention immediately to stop a crime in process or to apprehend a criminal attempting to escape. If the staff member or volunteer finds evidence that a crime has already been committed, and is not in process, the staff member or volunteer should make the report to his or her immediate supervisor, unless the supervisor is suspected of being involved in the crime. If the immediate supervisor is suspected of being involved, the report should be made to the next higher-level supervisor not suspected of being involved. The supervisor will make sure that the appropriate law enforcement agency is notified.

The staff member or volunteer will be expected to provide full cooperation to the law enforcement agency in the investigation of the crime, and act as a witness if there are court proceedings.

Staff members and volunteers are expected to take every reasonable step to protect a crime scene and evidence from interference until the appropriate law enforcement agency has completed its investigation.

Protection from Retaliation

It is Challenge's policy to protect any staff member or volunteer from any kind of retaliation for reporting any wrong-doing to the appropriate person. Challenge shall not retaliate in any way, nor tolerate personal retaliation by any of its staff or volunteers.

Protection from Interference

It is Challenge's policy to protect any staff member or volunteer from any kind of interference with a report of wrong-doing to the appropriate person. Supervisors may not directly prevent staff or volunteers from making a report of wrong-doing, nor influence their attempt to report by threat or harassment.

Confidentiality

Any person who reports wrong-doing to the appropriate person has the right to expect that the report will not be made public. Therefore, the report will not be disclosed to any Challenge staff other than supervisors and management who need to know in order to fulfill their responsibilities, or to any other parties other than regulatory agency employees, law enforcement personnel, court officers or any other persons who need to know to fulfill their responsibilities in the matter.

Willful False Allegations

This policy offers protection to any party who has an honest suspicion of wrong-doing. It is not meant to protect willful and malicious false reports. Challenge will not tolerate false statements intended to cause personal harm to other staff or volunteers or to denigrate Challenge's reputation.

If Challenge suspects that a staff member or volunteer has made a willful false allegation, it reserves the right to investigate the matter and to carry out disciplinary action if it is determined that a willful false allegation has been made. The investigation will be made respecting the individual's right to due process.

Reporting Retaliation or Interference

Anyone who has been subjected to retaliation for reporting wrong-doing, or interference with an attempt to report it, should make a complaint to the Human Resources Department. It is Challenge policy for the Human Resources Department to treat any such complaint seriously and to make a full investigation. Any staff member or volunteer found to have retaliated for or interfered with a report in violation of this policy will be subject to disciplinary action.

If the person making the complaint believes that the Human Resources Department has participated in the retaliation or interference, then the complaint should be made to the President of Challenge, or to the President of the Board, as needed.

Disciplinary Action

Retaliation or interference must never be ignored. Disciplinary action will depend on the severity of the offense, and whether it is a repeat offense. The Human Resources Department will determine the disciplinary action to be taken in conjunction with senior management. Disciplinary action may include a verbal warning, a written warning, a temporary suspension or termination.

It is Challenge policy to refer any act of retaliation or interference that is a criminal act to the appropriate law enforcement authority. In addition, any act of retaliation or interference that is meant to cover up a crime that has been committed against Challenge, a consumer, or a Challenge staff member or volunteer will be reported to the appropriate law enforcement authority.