

1012 Whistleblower Policy

Policy Statement - Southern Tier Independence Center (STIC) requires its directors, officers, employees (including former employees), independent contractors and volunteers, (each, a "Covered Person"), to observe high standards of business and personal ethics in the performance of their duties on behalf of STIC. As employees and representatives of STIC, Covered Persons are expected to practice honesty and integrity in fulfilling their responsibilities and are required to comply with all applicable laws and regulations.

The objectives of this Whistleblower Policy are to encourage and enable Covered Persons to raise concerns regarding suspected unethical and/or illegal conduct or practices on a confidential basis without fear of retaliation, so that STIC can address and correct inappropriate conduct and actions.

Confidential means that, while STIC may have identifying information about a Covered Person it will be kept private to the best of STIC's ability. The information will not be shared unless absolutely essential.

This policy is not intended as a vehicle for reporting violations of STIC's applicable human resources policies, problems with co-workers or managers, or for reporting issues related to alleged employment discrimination or sexual or any other form of unlawful harassment, all of which should be dealt with in accordance with STIC's Employee Handbook, as it is those policies and procedures that are applicable to such matters. However, employees reporting violations with regard to those policies are otherwise covered by this Whistleblower Policy.

Reporting Responsibility - It is the responsibility of all Covered Persons to report any concerns they may have regarding actual or suspected activities which they reasonably believe are in violation of a law, rule or regulation or STIC's policies including, but not limited to: fraud, danger to public health or safety, theft, embezzlement, accounting or auditing irregularities, bribery, kickbacks, and misuse of STIC's assets, as well as any violations or suspected violations of STIC's Code of Conduct (each, a "Concern"), in accordance with this Whistleblower Policy.

No Retaliation - No Covered Person who reports a Concern they reasonably believe to be accurate shall suffer a Retaliatory Action.

Retaliatory Action means an adverse action taken to threaten, intimidate, harass, penalize, or in any other manner discriminate against a Covered Person for exercising their rights under NYS Labor Law, Section 740, including:

- adverse employment actions or threats to take adverse employment actions against an employee including but not limited to termination, suspension, or demotion;
- actions or threats to take actions that would adversely impact a former employee's current or future employment; or
- threatening to contact or contacting US immigration authorities or otherwise reporting or threatening to report an employee's or their family or households members suspected citizenship or immigration status

Any employee of STIC who retaliates against someone who has reported a Concern in good faith is subject to disciplinary action up to and including termination of employment. This Whistleblower Policy is not an employment contract and does not modify the employment relationship between STIC and its employees, nor does it change the fact that employees of STIC are employees at will. Nothing in this policy is intended to provide any Covered Person with any additional rights or causes of action, other than those provided by law.

The protection against retaliatory action does not apply to an employee who makes a disclosure to a public body unless the employee has first made a good faith effort to notify STIC by bringing the activity, policy or practice to the attention of a supervisor of the employer, or Assistant Director, or Executive Director and has afforded such employer a reasonable opportunity to correct such activity, policy or practice.

Such employer notification shall not be required where:

- there is an imminent and serious danger to the public health or safety;
- the employee reasonably believes that reporting the issue would result in a destruction of evidence or other concealment of the activity, policy or practice;
- such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
- the employee reasonably believes that reporting to the agency would result in physical harm to the employee or any other person; or
- the employee reasonably believes that the agency is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

Reporting Concerns - A Concern should be reported as soon as practicable to STIC's Executive Director. A Concern regarding the Executive Director should be reported as soon as practicable to STIC's Board President. A Concern may be reported in person, by telephone, through email or in writing. STIC encourages Covered Persons to provide a written statement in order to assist the agency in responding to the situation. A Concern may also be reported on an anonymous basis, meaning that the reporter does not provide any identifying information. Reports can be made anonymously via telephone at 1-855-210-8495.

Any questions with regard to the scope, interpretation or operation of this Whistleblower Policy should be directed to the Executive Director or Assistant Director.

Handling of Reported Concerns - The Executive Director or Board President, if applicable, will acknowledge receipt of each reported Concern within five business days, but only to the extent the reporting person's identity is disclosed or contact information is provided. All reports will be promptly investigated.

Investigations - The Executive Director or Board President is responsible for investigating and resolving all reported Concerns and shall advise STIC's Board of Directors of all reported Concerns.

The Executive Director or Board President may delegate the responsibility to investigate a reported Concern to one or more employees of STIC or to any other individual, including persons not employed by STIC; provided that such responsibility may not be assigned to an employee if the Executive Director is the subject of the Concern.

Additionally, responsibility may not be delegated to an employee or other individual who is the subject of the reported Concern or in a manner that would compromise either the identity of an individual who reported the Concern anonymously or the confidentiality of the complaint or resulting investigation.

The scope, manner and parameters of any investigation of a reported Concern shall be determined by the Executive Director or Board President, with input from the Board of Directors, if applicable. STIC and its employees shall cooperate as necessary in connection with any such investigation. Appropriate corrective action will be taken if warranted by the investigation.

Acting in Good Faith - Anyone reporting a Concern must act in good faith and have reasonable grounds for believing that the information disclosed may indicate a violation of law, rule or regulation, STIC's policies and/or ethical standards. Any allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality - STIC takes seriously its responsibility to enforce this Whistleblower Policy and therefore encourages any person reporting a Concern to identify him or herself so as to facilitate any resulting investigation. Reports of Concerns will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Only those conducting or overseeing an investigation will have access to the names of individuals reporting a Concern, if known.

Records - STIC will retain on a strictly confidential basis for a minimum of seven years (or otherwise as required under STIC's record retention policies) all records relating to any reported Concern and to the investigation and resolution thereof. All such records will be considered privileged and confidential.

Distribution - STIC shall distribute a copy of this Whistleblower Policy to all Covered Persons.

Laws Related to Whistleblower Protection- There are several NYS and Federal Laws related to Whistleblower protection. These are outlined in detail in STIC's Corporate Compliance Plan, which is provided to all employees, including:

- Federal Laws
 - Federal False Claims Act (31 U.S.C. §3730(h))
- New York State Laws
 - NY False Claims Act (State Finance Law, §191)
 - NY Labor Law §740
 - NY Labor Law §741
- NY HERO Act

Contact Information for Reports

Executive Director

Name: Maria Dibble

Mailing Address: 135 East Frederick Street, Binghamton, NY 13904
Phone Number: (607) 724-2111
Email Address: mdibble@stic-cil.org

Board President c/o

Mailing Address: 135 East Frederick Street, Binghamton, NY 13904
Phone Number: (607) 724-2111 ext. 600
Email Address: BoardofDirectors@stic-cil.org