

# Administrative Policy

**Title:** WHISTLEBLOWER  
**Adopted:** April 2, 2009  
**Adopted by:** Board of Directors  
**Responsibility:** Planning and Finance Committee

## **Purpose**

The American Institute of Architects, California Council (AIACC) is open and accountable to its members and employees. The AIACC Board of Directors expects all AIACC volunteers and employees to obey the law and act ethically. It also expects employees to report honestly to their supervisors. It requires that volunteers and employees contact senior management, or AIACC officers, as appropriate, about any activity that they think might violate law, policy, or ethical standards.

This policy is intended to cover serious concerns that could affect The AIACC. These include actions that:

- could lead to inaccurate financial reporting;
- are unlawful, such as fraud, theft, embezzlement, or other illegal activities;
- are inconsistent with policies or procedures;
- otherwise amount to serious misconduct, such as unethical business conduct, or other inappropriate conduct;
- result in the destruction of documents in a manner inconsistent with The AIACC's records retention policy; or
- result in the inappropriate or illegal use of AIACC property (e.g., using AIACC property for personal gain).

Other subjects on which The AIACC has existing complaint mechanisms should be addressed under those mechanisms. For example, an employee's allegation of discrimination or harassment should be reported as documented in The AIACC's Anti-Harassment Policy. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

The policy is intended to encourage and enable you and others to raise serious concerns within The AIACC before seeking action from outside sources.

## **Protecting Your Confidentiality and Protection from Retaliation**

Every effort will be made to protect your confidentiality, and The AIACC will not tolerate harassment or retaliation of any sort against anybody submitting a report under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. While anonymous reports will be accepted, you are encouraged to identify yourself in order to strengthen the credibility of your report and to help the follow-up investigation. Malicious or knowingly false reports, however, may result in disciplinary action, up to and including termination of your employment or service as a volunteer.

## **Reporting a Violation**

You should follow these guidelines when reporting a violation under this policy:

- Describe in detail the specific facts demonstrating the basis for the complaint or report. Employees or volunteers must recognize that The AIACC may be unable to fully evaluate a vague or general complaint or report that is made anonymously.
- Where possible, if you are an employee, you should report the violation initially to your direct supervisor. In most cases, your supervisor should be in the best position to address an area of concern.
- If you are a volunteer, or if you are an employee who is not comfortable speaking with your supervisor about a violation, you are encouraged to speak with the AIACC Executive Vice President.
- This policy requires every supervisor or other manager to report suspected violations to the AIACC Executive Vice President. The supervisor should not have anything else to do with the matter unless directed by the AIACC Executive Vice President.
- If the AIACC Executive Vice President is implicated in the complaint, you should report the violation to the AIACC Secretary/Treasurer.
- If the violation you are reporting has to do with fraud or financial misconduct, you may follow the procedures shown above. In the alternative, you may contact the AIACC Secretary/Treasurer.
- Except under extraordinary circumstances, the AIACC President and, if allegation of fraud or financial misconduct, the AIACC Secretary/Treasurer will be informed when a report is received. Other persons may also be notified on a need-to-know basis.

## **Investigation and Report**

The following guidelines apply to investigations:

- The AIACC Executive Vice President has specific and exclusive responsibility to investigate all reported violations. If the AIACC Executive Vice President finds it appropriate to recuse him/herself, he/she will retain impartial outside counsel or auditors to conduct the investigation.
- To the extent possible, your report will be acknowledged within 5 business days. You will also be informed about next steps and about when you may expect to hear more about the investigation of your reported allegations.
- The AIACC Executive Vice President will conduct a prompt investigation, while doing everything possible to keep your identity and role confidential. (You should be aware, however, that legal requirements or other circumstances may make it impossible to fully protect confidentiality in some cases.) You will be notified within 2 weeks if a broader investigation appears to be needed.
- You are not expected to prove the truth of your allegations. You should, however, be prepared to be interviewed (unless your report is anonymous) and to submit whatever evidence is available to support the allegations.

- The AIACC Executive Vice President will submit a written report, which will include a summary of the allegations and his or her recommendations, to members of the AIACC Executive Committee, and/or to the AIACC Board of Directors, as appropriate. You will be informed about the results of the report.
- Where appropriate, corrective action will be taken. The action taken will depend on how serious the pertinent violation is and may include such things as a warning, a letter of reprimand, suspension with or without pay, or termination of employment. In the case of a volunteer, corrective action may include such things as limitations on the volunteer's opportunity to serve on AIACC committees.

#### Contact of AIACC Officers

- If the process described above is not followed after you have submitted a report, you may contact the AIACC President. If you are not comfortable contacting the AIACC President, you may contact the AIACC First Vice President.