

Fraudulent or Dishonest Conduct & Whistleblower Policy Statement

The Boys & Girls Clubs of Metro Denver, Inc will investigate any possible fraudulent or dishonest use or misuse of Boys & Girls Clubs of Metro Denver resources or property by management, staff, volunteers, or members. Anyone found to have engaged in fraudulent or dishonest conduct is subject to disciplinary action by Boys & Girls Clubs of Metro Denver up to and including civil or criminal prosecution when warranted.

All members of the Boys & Girls Clubs of Metro Denver community are encouraged to report possible fraudulent or dishonest conduct (i.e., a whistleblower). An employee should report his or her concerns to a supervisor or manager. If for any reason an employee finds it difficult to report his or her concern to a manager or supervisor, the employee can report it directly to the Vice President of Finance or the President.

Managers or supervisors are required to report suspected fraudulent or dishonest conduct to the Vice President of Finance or the President.

For more information about definition, rights and responsibilities, procedures, and contacts read the following.

Definitions

Baseless Allegations: allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to institutional disciplinary action and/or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct: a deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

- Forgery or alteration of documents
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Pursuit of a benefit or advantage in violation of the Boys & Girls Clubs of Metro Denver's conflict of interest policy
- Misappropriation or misuse of Boys & Girls Clubs of Metro Denver resources, such as funds, supplies, or other assets
- Authorizing or receiving compensation for goods not received or services not performed
- Authorizing or receiving compensation for hours not worked

Whistleblower: an employee who informs a manager, supervisor or the Vice President of Finance or the President about an activity which that person believes to be fraudulent or dishonest.

Rights and Responsibilities

Managers or Supervisors

Managers or supervisors are required to report suspected fraudulent or dishonest conduct to the Vice President of Finance or the President. In addition, managers or supervisors are responsible for maintaining a system of management controls, which detect and deter fraudulent or dishonest conduct. Failure by a manager or supervisor to establish management controls or report misconduct within the scope of this policy may result in adverse personnel action against the manager or supervisor, up to and including dismissal. The Vice President of Finance or the President is available to assist management in establishing management systems and recognizing improper conduct.

Reasonable care should be taken in dealing with suspected misconduct to avoid:

- Baseless allegations
- Premature notice to person suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
- Violations of a person's rights under the law

Accordingly, a manager or supervisor faced with a suspected misconduct:

- Should not contact the person suspected to further investigate the matter or demand restitution
- Should not discuss the case with anyone other than the Vice President of Finance or the President, or a duly authorized law enforcement officer
- Should direct all inquiries from any attorney retained by the suspected individual to the Vice President of Finance or the President
- Should direct all inquiries from the media to Boys & Girls Clubs of Metro Denver's Public Relations Office or in the event that the Public Relations cannot be contacted, to the President.

Whistleblower Protection

Boys & Girls Clubs of Metro Denver will protect whistleblowers as defined below:

- Boys & Girls Clubs of Metro Denver will use best efforts to protect whistleblowers against retaliation, as described below. It cannot guarantee confidentiality, however, and there is no such thing as an "unofficial" or "off the record" report. Boys & Girls Clubs of Metro Denver will keep the whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to all Boys & Girls Clubs of Metro Denver or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of Fraud Policy violations is entitled to the information as a matter of legal right in disciplinary proceedings.
- Boys & Girls Clubs of Metro Denver employees may not retaliate against a whistleblower with the intent or effect of adversely affecting the terms or conditions of employment (including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages). Whistleblowers who believe that they have been retaliated

against may file a written complaint with the Vice President of Finance or the President. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

- Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

Contacts

Questions related to the interpretation of this policy should be directed to the Vice President of Finance or the President.

Effective Date

Original: January 19, 2005