

**Whistleblower Protection Policy of
Highway 1 Tourism Alliance
A California Nonprofit Mutual Benefit Corporation**

**ARTICLE I
APPLICATION**

The following Whistleblower Protection Policy (Policy) applies to all of Highway 1 Tourism Alliance (H1TA) staff, whether full-time, part-time, or temporary employees, to all volunteers, to all who provide contract services, and to all Officers and Directors (protected person(s)), each of whom shall be entitled to protection.

**ARTICLE II
REPORTING RESPONSIBILITY**

Each Director, officer, volunteer, and employee of H1TA has an obligation to report in accordance with this Policy 1) questionable or improper accounting or auditing matters; and 2) concerns and suspected violations of H1TA's Ethics Training, hereinafter collectively referred to as "Concerns."

**ARTICLE III
GOOD FAITH**

A protected person shall be encouraged to report information relating to Concerns that such person, in good faith, has reasonable cause to believe are credible.

- A. Any protected person reporting a violation must act in good faith and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred.
- B. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

**ARTICLE IV
INVESTIGATING INFORMATION**

The Board of Directors shall designate a Compliance Officer who shall be responsible for investigating and making appropriate recommendations to the Board of Directors, with respect to all reported Concerns. The Compliance Officer shall promptly investigate each such report and prepare and submit a written report to the Board of Directors. In connection with such investigation, all protected persons shall provide the Compliance Officer with credible information. All actions of the Compliance Officer in receiving and investigating the report and additional information shall endeavor to protect the confidentiality of all protected persons.

- A. The Compliance Officer has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.
- B. Action taken must include a conclusion and/or follow-up with the reporting individual for complete closure of the Concern.

**ARTICLE V
REPORTING PRACTICES**

Protected persons should first discuss their Concern with their immediate supervisor. If, after speaking with their supervisor, the individual continues to have reasonable grounds to believe the Concern is valid, the individual should report the Concern to the Compliance Officer. In the event that the individual is uncomfortable speaking with their supervisor, or the supervisor is a subject of the Concern, the individual should report his or her Concern directly to the Compliance Officer.

If the Concern was reported verbally to the Compliance Officer, the reporting individual, with assistance from the Compliance Officer, shall prepare a written account of the Concern.

**ARTICLE VI
CONFIDENTIALITY**

HITA encourages anyone reporting a violation to identify themselves when making a report in order to facilitate the investigation of the violation. However, reports may be submitted anonymously by filling out a “Whistleblower Reporting Form” and depositing the form in a designated box.

Reports of violations or suspected violations will be kept confidential to the extent possible, with the understanding that confidentiality may not be maintained where identification is required by law or in order to enable the organization, or law enforcement, to conduct an adequate investigation.

Disclosure of reports of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

**ARTICLE VII
PROTECTION FROM RETALIATION**

No protected person shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this Policy. Any person entitled to protection who believes that he or she is the subject of any form of retaliation for such participation should immediately report their Concern in accordance with this Policy.

Any individual within the organization who retaliates against another individual who has reported a Concern in good faith or who, in good faith, has cooperated in the investigation of a Concern is subject to discipline, including termination of employment or volunteer status.

**ARTICLE VIII
DISSEMINATION AND IMPLEMENTATION OF POLICY**

This Policy shall be disseminated in writing to all affected constituencies. H1TA shall adopt procedures for implementation of this Policy, which may include:

- A. Documenting reported Concerns;
- B. Working with legal counsel to determine whether the reported Concern requires review by the Compliance Officer or should be directed to another person or department;
- C. Keeping the Board of Directors informed of the progress of any investigation;
- D. Interviewing employees in relation to any investigation;
- E. Requesting and reviewing relevant documents, and/or requesting that an auditor or counsel investigate the complaint; and
- F. Preparing a written record of the reported Concern and its disposition, to be retained for a specified period of time.

The provisions of this Policy do not:

- A. Require H1TA to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body; working with legal counsel to decide whether the reported Concern requires review by the Compliance Officer or should be directed to another person or department;
- B. Prohibit H1TA from compensating an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;
- C. Authorize the disclosure of information that is legally required to be kept confidential; or
- D. Diminish or impair the rights of an employee under a collective bargaining agreement.

The procedures for implementation of this Policy shall include a process for communicating with a complainant about the status of the complaint, to the extent that the complainant's identity is disclosed, and to the extent consistent with any privacy or confidentiality limitations.

**ARTICLE IX
ADOPTION**

H1TA Board of Directors hereby designates the Chair, or the designated legal advisor, to serve as the Compliance Officer of H1TA. The designated Compliance Officer shall serve in the capacity as detailed in this Policy.

This Policy was adopted by the H1TA Board of Directors on _____.

Questions or Clarifications Related to This Policy

All questions or other clarifications of this Policy and its related responsibilities should be addressed to the Chair, who shall be responsible for the administration, revision, interpretation, and application of this Policy.

Approval

(Chair)

Date

=====

Acknowledgment

My signature signifies that I have read this Policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected misconduct and dishonesty.

I further acknowledge I am not aware of any activity that would require disclosure under this or other existing HITA policy or procedure statements.

Signature: _____

Print Name: _____

Date signed: _____