

FRAUDULENT OR DISHONEST CONDUCT POLICY ("Whistleblower Policy")

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Policy

The objective of the Rocky Mountain Section of the American Water Works Association's ("Section" or "RMSAWWA") Fraudulent or Dishonest Conduct ("Whistleblower") Policy is to establish a policy for the protection of Board members, committee chairs and co-chairs, and employees reporting concerns related to possible fraudulent or dishonest activity ("Concerns") from retaliation, harassment, or adverse employment consequences related to making complaints of organizational wrongdoing (i.e., being a whistleblower).

Reporting Responsibility

Board of Trustees ("Governing Board") members, committee chairs/co-chairs, all other volunteers, and employees of the RMSAWWA should practice honesty and integrity and in accordance with the Section's Code of Ethics Policy, comply with all applicable laws and regulations in fulfilling their responsibilities. Each Governing Board member, committee chair / co-chair, volunteer and employee of RMSAWWA has an obligation to report Concerns in accordance with this policy within 90 days from the perceived adverse action.

Reporting Procedure

Board members, officers and Section employees should report their concerns to the Executive Director. If for any reason the whistleblower finds it difficult to report the concern to the Executive Director, the whistleblower can report it directly to the Section Chair, Past Chair, Chair-Elect, or Treasurer. The complaint is then forwarded to the chair of the Finance Committee. If the chair or any other of the Finance Committee members are involved in alleged violations, the complaint will be forwarded to the Section's attorney for investigation.

Handling of Reported Violations

The Finance Committee (or the Section's attorney) is responsible for making recommendations to the Governing Board for appropriate resolution. The committee chair shall notify the committee and the Executive Director and Section Chair of any such report within three business days. The committee chair will notify the sender and acknowledge receipt of the Concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted Concerns.

All reports will be investigated by the Finance Committee (or by legal counsel if Finance

Committee members are involved in the allegations), and appropriate corrective action will be recommended to the Governing Board, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow-up with the complainant for complete closure of the Concern, unless Concern was submitted anonymously.

No Retaliation

This “Whistleblower” Policy is intended to encourage and enable Governing Board members, volunteers, and employees to raise Concerns within the organization for investigation and appropriate action. With this goal in mind, no Board member, volunteer or employee who, in good faith, reports a Concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences related to whistleblower complaints. Moreover, a Board member, officer, volunteer or employee who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

Acting in Good Faith

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information reported indicates a violation of the law or constitutes an inappropriate accounting or financial practice. 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.

Confidentiality

Reports on Concerns, and investigations pertaining thereto, shall be kept confidential to the extent practical, consistent with the need 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 dismissal from the volunteer position or termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.