

TITLE: Whistleblower
POLICY#: HR 7-6
DEVELOPED: 11/2009
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The Sarbanes-Oxley Act (SOX), enacted July 30, 2002, was intended to prevent ethical breaches by organizations and to ensure corporate accountability and compliance. Certain provisions of the Act apply to nonprofit organizations. Those provisions provide protection to employees who report suspected fraud or other illegal financial activities and are considered to be corporate “whistleblowers.” A whistleblower is further defined as an employee who provides truthful information relating to such activity to appropriate law enforcement authorities.

Gulf Coast Jewish Family and Community Services (Gulf Coast JFCS) is committed to ensuring integrity and ethical behavior by maintaining an environment where employees can act appropriately, without fear of retaliation. Gulf Coast JFCS requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

Examples of fraud, questionable behavior or illegal activities include but are not limited to:

- Ethical violations/conflict of interest
- Billing for services not performed or delivered
- Intentional violations of cash receipting and disbursement policies or procedures
- Unsafe working conditions
- Theft/fraud/embezzlement/bribery/kickbacks/misuse of company property
- Discrimination
- Alcohol/substance misuse and/or abuse
- Law violations
- Vandalism and sabotage
- Conduct violations/improper conduct/violation of company policy
- Falsification of contracts, reports or records
- Threats

All are encouraged to disclose any wrongdoing that may adversely impact the agency, the agency's clients, stakeholders, employees or the public at large. This policy also sets forth an investigative process to deal with reported acts of wrongdoing and retaliation. In addition, it establishes procedures for anonymous reporting on a confidential basis. The whistleblower is not responsible for investigating the activity.

Definitions

1. A whistleblower as defined by this policy is an employee who reports such financial activity or wrongdoing that he or she reasonably considers being illegal or dishonest to one of the parties specified in this policy.
2. “Good faith” is evident when a report is made without malice or consideration of personal benefit and the employee has reasonable basis to believe that the report is true. Good faith is lacking when the disclosure is known to be malicious or false.

3. “Wrongdoing” is an act which, if proven true, would be a violation of statute, rule, regulation or policy, excluding job performance and related deficiencies. Examples of wrongdoing include, but are not limited to fraud, including accounting fraud, violation of laws and regulations, violations of agency policies, unethical behavior or practices, endangerment of public health or safety and negligence of duty.

Scope

This policy presumes that employees will act in good faith and will not make false accusations of reporting wrongdoing by agency employees. An employee who intentionally files an unreasonable or false report of misconduct under this policy will be subject to corrective action, up to and including termination of employment. Employees who report acts of wrongdoing pursuant to this policy can and will continue to be held to the agency's general job performance standards and adherence to the agency's policies and procedures.

Protection under the “Whistle-Blower’s Act”

Whistleblower protections are provided in two important areas – confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. Identity, however, may have to be disclosed to conduct a thorough investigation, to comply with the law, and/or to provide accused individuals their legal rights of defense.

In accordance with Florida Statute 112.3187, no employee who in good faith reports wrongdoing shall suffer harassment, retaliation or adverse employment consequences. Examples of adverse employment include, but are not limited to demotion, suspension, termination, transfer to a lesser position, denial of promotions, benefits or compensation or threats. An employee who retaliates against someone who has reported wrongdoing in good faith is subject to discipline up to and including termination of employment.

In the event that an employee believes they have been retaliated against for reporting any wrongdoing in good faith, a complaint can be filed with the Office of the Chief Inspector General, the Florida Commission on Human Relations or via the Whistleblower’s Hotline at 1-800-543-5353.

Reporting Process

To make an anonymous and confidential report to the hotline:

- Call: 877-472-2110; or
- Online: www.lighthouse-services.com
 - Login: gulfcoast
 - Password: GCJFCS

Reports of wrongdoing should describe in detail the specific facts demonstrating the basis for the report. These anonymous reports shall be directed to the Gulf Coast JFCS Board Chair or its President/Chief Executive Officer. They may be required to subsequently report certain wrongdoing to other entities, as outlined in Gulf Coast Policy AD380 - Mandatory Reporting to the Office of the Inspector General. A prompt, discreet and objective review or investigation will be conducted. Employees must recognize that the agency may be unable to fully evaluate a vague or general report that is made anonymously.