



# **AHEAD INITIATIVES**

## Whistleblower Protection Policy

<b>Version No</b>	<b>1.0</b>	<b>Date of Issue</b>	<b>1 January 2024</b>
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## Background

AHEAD's Whistleblower policy is a critical tool for protecting individuals who report activities believed to be illegal, dishonest, unethical, or otherwise improper.

The organization will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Managing Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

- I. Whistleblower protections are provided in two important areas: confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed, with prior knowledge of the whistleblower to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.
- II. Individuals protected include
  - a. the company staff, or a person acting on behalf of the company staff, who reports to a public body or is about to report to a public body a matter of public concern; or
  - b. the company staff who participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.
- III. The organization may not discharge, threaten, or otherwise discriminate against a company staff regarding the company staff's compensation, terms, conditions, location, or privileges of employment.
- IV. The organization may not disqualify a company staff or other person who brings a matter of public concern, or participates in a proceeding connected with a matter of public concern, before a public body or court, because of



the report or participation, from eligibility to bid on contracts with the organization; receive land under a district ordinance; or receive another right, privilege, or benefit.

- v. The provisions of this policy do not
  - a. require the organization to compensate a company staff for participation in a court action or in an investigation, hearing, or inquiry by a public body;
  - b. prohibit the organization from compensating a company staff 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 a company staff under a collective bargaining agreement.
- vi. Limitation to protections
  - a. A person is not entitled to the protections under this policy unless he or she reasonably believes that the information reported is, or is about to become, a matter of public concern; and reports the information in good faith.
  - b. A person is entitled to the protections under this policy only if the matter of public concern is not the result of conduct by the individual seeking protection, unless it is the result of conduct by the person that was required by his or her employer.
  - c. Before a company staff initiates a report to a public body on a matter of public concern under this policy, the company staff shall submit a written report concerning the matter to the organization's Managing Director. However, the company staff is not required to submit a written report if he or she believes with reasonable certainty that the activity, policy, or practice is already known to the Managing Director; or that an emergency is involved.



## VII. Relief and penalties

- a. A person who alleges a violation of this policy may bring a civil action and the court may grant appropriate relief.
- b. A person who violates or attempts to violate this policy is also liable for a civil fine of not more than ten thousand rupees (Rs10,000).

## Procedures

- I. If a company staff has knowledge of or a concern of illegal or dishonest/fraudulent activity, the company staff is to contact his/her immediate supervisor or the Finance & HR Director. All reports or concerns of illegal and dishonest activities will be promptly submitted by the receiving supervisor to the Human Resources Director, who is responsible for investigating and coordinating any necessary corrective action. Any concerns involving the Human Resource Director should be reported to the Managing Director.
- II. The whistleblower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.
- III. Examples of illegal or dishonest activities include violations of central, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. The company staff must exercise sound judgment to avoid baseless allegations. A company staff who intentionally files a false report of wrongdoing will be subject to disciplinary action.

## Supplemental information

### Definitions

1. “*Whistleblower*” is defined by this policy as a company staff who reports,



to one or more of the parties specified in this policy, an activity that he/she considers to be illegal, dishonest, unethical, or otherwise improper.

2. *“Company staff,”* or *“public staff,”* means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied, for the district.
3. *“Matter of public concern”* means
  - a. a violation of a state, central, or municipal law, regulation, or ordinance;
  - b. a danger to public health or safety; and/or
  - c. gross mismanagement, substantial waste of funds, or a clear abuse of authority.
4. *“Public body”* includes an officer or agency of
  - a. the central government;
  - b. the state;
  - c. a political subdivision of the state including a municipality or a school district; and
  - d. a public university in the state.

