

SULLIVAN COUNTY LAND BANK CORPORATION

WHISTLEBLOWER POLICY AND PROCEDURES

It is the policy of the Sullivan County Land Bank Corporation to afford certain protections to individuals who in good faith report violations of the Land Bank's Bylaws or Code of Ethics or other instances of potential Wrongdoing within the Land Bank. The Whistleblower Policy and Procedures set forth below are intended to encourage and enable employees to raise concerns in good faith within the Land Bank and without fear of retaliation or adverse employment action.

A. Definitions

- a. "Good Faith": Information concerning potential Wrongdoing is disclosed in "good faith" when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential Wrongdoing.
- b. "Employee": All board members, officers, employees and staff employed or working at the Land Bank, whether full-time, part-time, employed pursuant to contract, employees on probation and temporary employees.
- c. "Whistleblower": Any Land Bank Employee who in Good Faith discloses information concerning potential Wrongdoing by another Land Bank Employee or concerning the business of the Land Bank itself.
- d. "Wrongdoing": Any alleged corruption, fraud, criminal or unethical activity, misconduct, malfeasance, waste, conflict of interest, intentional reporting of false or misleading information, or other inappropriate behavior by a Land Bank Employee that relates to the Land Bank, its operations, investments, travel, acquisition of real and personal property, disposition of real and personal property, and procurement of goods and services.
- e. "Personnel Action": Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, termination, demotion, suspension, discipline, reinstatement, or evaluation of performance.
- f. "SCLBC" or "Land Bank" shall mean the Sullivan County Land Bank Corporation.

B. Reporting Wrongdoing

All Employees who discover or have knowledge of potential Wrongdoing concerning board members, officers, or employees of the Land Bank; or a person having business dealings with the Land Bank; or concerning the Land Bank itself, shall report such activity in accordance with the following procedures:

- a. The Employee shall disclose information concerning Wrongdoing either orally or in a written report to the Executive Director, or if such person is suspected of Wrongdoing, then to the Chair of the Board of Directors, or if such person is suspected of Wrongdoing, then to any member of the Board of Directors.
- b. All Employees who discover or have knowledge of Wrongdoing shall report such Wrongdoing in a prompt and timely manner in accordance with this policy.
- c. The identity of the Whistleblower and the substance of his or her allegations will be kept confidential to the extent reasonably possible under the circumstances.

- d. The Land Bank's Executive Director shall investigate and handle the claim in a timely and reasonable manner. The Executive Director shall report the results of the investigation to the Chair of the Board of Directors who shall report to the full Board for any appropriate action. If the Executive Director is the subject of the suspected Wrongdoing, then the Chair of the Board shall conduct the investigation. If the Chair of the Board is the subject of the suspected Wrongdoing, then the Board Treasurer shall serve in place of the Chair for the purposes of this subparagraph.
- e. Should an Employee believe that disclosing information within the Land Bank pursuant to Section 2(a) above would likely subject him or her to adverse Personnel Action or be ineffective, the Land Bank Employee may instead disclose the information to the New York State Authorities Budget Office or an appropriate law enforcement agency, if applicable. The Authorities Budget Office's toll free number (1-800-560-1770) should be used in such circumstances.

C. No Retaliation Or Interference

The Land Bank or any Employee shall not retaliate against any Whistleblower for the disclosure of potential Wrongdoing, whether through Personnel Action, threat of Personnel Action, other threat, coercion, harassment, discrimination or abuse of authority. No Employee shall interfere with the right of any Employee by improper deterrence or attempt to deter disclosure of potential Wrongdoing.

Any attempts at retaliation or interference are strictly prohibited. Further:

- a. The Land Bank shall not, and shall not threaten, any adverse Personnel Action against an Employee, or threaten, harass or discriminate against an Employee who legally and in Good Faith discloses potential violations of the Land Bank's Bylaws or Code of Ethics or other instances of potential Wrongdoing.
- b. All allegations of retaliation against a Whistleblower or interference with an individual seeking to disclose potential Wrongdoing will be thoroughly investigated by the Land Bank.
- c. Any Employee who retaliates against or attempts to interfere with any individual for having in Good Faith disclosed potential violations of the Land Bank's Bylaws or Code of Ethics or other instances of potential Wrongdoing shall be subject to discipline, including termination of employment or other role with the Land Bank.
- d. Any allegation of retaliation or interference will be taken and treated seriously and, regardless of the outcome of the initial disclosure, will be treated as a separate matter.

D. Other Legal Rights Not Impaired

The Whistleblower Policy and Procedures set forth herein are not intended to limit, diminish or impair any other rights or remedies that an individual may have under the law with respect to disclosing potential Wrongdoing free from retaliation or adverse Personnel Action. Specifically, these Whistleblower Policy and Procedures are not intended to limit any rights or remedies that an individual may have under the laws of the State of New York.