

VETERANS OF FOREIGN WARS OHIO CHARITIES

WHISTLEBLOWER POLICY & PROCEDURES

ARTICLE I

PURPOSE

The purpose of the whistleblower policy is to comply with Ohio Laws, and to assure ethical practices for employees, Agents, volunteers, and VFW members protection.

ARTICLE II

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1. Whistleblower

A “whistleblower” is an employee, volunteer, Agent, or member of the VFW who discloses information to a government or law enforcement agency where the employee, volunteer, Agent, or VFW member has reasonable cause to believe that the information discloses:

- a. A violation of state or federal statute,
- b. A violation of noncompliance with a state or federal rule or regulation, or
- c. With reference to employees, volunteers, Agents or VFW members safety or health, unsafe working conditions or work practices in the employee’s, volunteer’s, or VFW member’s work environment.

ARTICLE III

PROTECTIONS AFFORDED TO A WHISTLEBLOWER

1. Duty of VFW Ohio Charities

The VFW Ohio Charities may not make, adopt, or enforce any rule, regulation, or policy preventing an employee, volunteer, agent or VFW member from being a whistleblower

- a. The VFW Ohio Charities may not retaliate against an employee, volunteer, agent, or VFW member who is a whistleblower.
- b. The VFW Ohio Charities may not retaliate against an employee, volunteer, Agent or VFW member for refusing to participate in an activity that would result in a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.
- c. The VFW Ohio Charities may not retaliate against an employee or volunteer for having exercised his or her rights as a whistleblower in any former employment.

2. Procedure for Reporting Violations

- a. Under Ohio Law (ORC Revised Code Section 4113.52) If an employee, volunteer, Agent, or VFW member makes a report, VFW Ohio Charities, within twenty-four hours after the oral notification was made or the report was received by the close of business on the next regular business day following the day on which the oral notification was made or the report was received, whichever is later, shall notify

the employee, volunteer, Agent, or VFW member in writing, of any effort of VFW Ohio Charities to correct the alleged violation or hazard or the absence of the alleged violation or hazard.

b. Under Ohio Law (ORC Revised Code Section 4113.52) If an employee, volunteer, Agent, or VFW member becomes aware in the course of the employee's employment of a violation of chapter 3704., 3734., 6109., or 6111 of the Revised Code that is a criminal offense, the employee, volunteer, Agent, or VFW member directly may notify, either orally or in writing, any appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the VFW Ohio Charities is engaged.

c. In certain limited circumstances, the employee, Agent, Volunteer, or VFW member may skip reporting to VFW Ohio Charities and waiting for a response. These include:

- Criminal violations of ORC Chapter 3704 (Air Pollution Control)
- Criminal violations of ORC Chapter 3734 (Solid and Hazardous Wastes)
- Criminal violations of ORC Chapter 6109 (Safe Drinking Water)
- Criminal violations of ORC Chapter 6111 (Water Pollution Control)

ARTICLE IV

VFWOC INTENTIONS

1. Intent of VFW Ohio Charities

It is the intent of VFW Ohio Charities to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this Policy is to support the organization's goal of legal compliance. The support of all employees, volunteers, Agents, and VFW members is necessary to achieving compliance with various laws and regulations.

Intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute improper activities as defined by statute or violating or not complying with a state or federal rule or regulation including but not limited to corruption, malfeasance, bribery, theft, fraudulent claims, fraud, coercion, conversation, malicious prosecution, misuse of property, or willful omission to perform duty, or unsafe working conditions or work practices.

a. It is VFW Ohio Charities' policy to encourage an employee, volunteer, Agent, or VFW member to prepare a written report when they have reason to believe (knowledge or suspicion) VFW Ohio Charities or another individual or entity with who VFW Ohio Charities has a business relationship (1) is violating a state or regulation including but not limited to corruption, malfeasance, bribery, theft, fraudulent claims, fraud, coercion, conversation, malicious prosecution, misuse of property, or willful omission to perform duty, or (2) unsafe working conditions or work practices.

b. If you have information regarding possible violations of state or federal statutes, rules or regulations, or violations of fiduciary responsibility by the VFW Ohio Charities employees, volunteers, Agents, VFW members, or management, prepare a written report of the allegations with the VFW Ohio Charities and if not timely handled you may contact an appropriate governmental department or law enforcement office or you may **Call the Ohio State Attorney General's office at 1-800-282-0515**. The Attorney General will refer your call to the appropriate government authority for review and possible investigation. This policy in no way is intended to prohibit an employee, volunteer, Agent, or VFW

member from reporting directly to an appropriate governmental department or law enforcement office as specified by law.

c. If requested the Executive Director of VFW Ohio Charities will help or provide help in preparing the written report documenting the alleged violation and submitting the report for processing to the VFW Ohio Charities Board.

d. The Executive Director is responsible if applicable for seeing that the report is processed timely. Within 2 working days of receipt of the Whistleblower law violation report the violation to the Chairman of the VFW Ohio Charities Board or the President of the VFW Ohio Charities Board.

ARTICLE V

VFWOC DUTIES AND RESPONSIBILITIES

The Chairman or the President of the VFW Ohio Charities Board will (1) have reviewed the report for adequate information for processing (2) confidentially obtain additional information if needed, and (3) confidentially verify the facts. Within 4 working days of receipt of the Whistleblower report the VFW Ohio Charities Board will establish action plan for correction of the deficiency, if any, and if appropriate will advise the Executive Director of the Whistleblower report and proposed action.

ARTICLE VI

WHISTLEBLOWER PROTECTIONS

1. VFWOC Whistleblower Requirements

VFW OHIO CHARITIES will not make, adopt, or enforce any rules, regulation, or policy preventing an employee, volunteer, Agent, or VFW member from being a whistleblower.

a. VFW OHIO CHARITIES will not retaliate against an employee, volunteer, Agent, or VFW member who is a whistleblower.

b. VFW OHIO CHARITIES will not retaliate against an employee, volunteer, Agent, or VFW member for refusing to participate in an activity that would result in a violation of state or federal statute, or a violation of noncompliance with a state or federal rule or regulation.

c. VFW Ohio Charities will not retaliate against an employee, volunteer, Agent, or VFW member having exercised his or her rights as a whistleblower in a former employment.