



Human Resource Policy Manual

Subject: Whistleblower Policy

HR Policy: 380

Effective Date:

Revision: 0

Revision Date:

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Board of Directors Approval: 3/12/05

MSHS Policy Council Approval: 04/02/05

This Policy has been drafted as a guideline for our employees. Final interpretation of the items discussed will be governed by the applicable procedure statements and the Human Resources Department. It shall not be construed to form a contract between our employees and the operating units of Texas Migrant Council, Inc. Texas Migrant Council, Inc., reserves the right to alter, rescind, or change any part or section of this Policy unilaterally and without prior notice.

1.0 PURPOSE

The purpose of this policy is to define the actions an employee should pursue when they report an activity that they consider to be illegal or dishonest.

2.0 SCOPE

This policy covers all employees at all Texas Migrant Council, Inc., facilities and locations.

3.0 DEFINITION

- 3.1** A whistleblower as defined by this policy is an employee of Texas Migrant Council, Inc., who reports an activity that they consider to be illegal or dishonest to one or more of the parties specified in this policy.
- 3.2** The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.
- 3.3** Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

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4.0 POLICY

- 4.1** If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or the Human Resources Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.
- 4.2** Whistleblower protections are provided in two important areas:
- 4.2.1** Confidentiality, and;
 - 4.2.2** Against retaliation.
- 4.3** Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.
- 4.4** The Company 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 Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.



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5.0 REPORTING

- 5.1** All reports of illegal and dishonest activities will be promptly submitted to the Human Resources Director who is responsible for investigating and coordinating corrective action.
- 5.2** Employees with any questions regarding this policy should contact the Human Resources Director.