

# California State University, Long Beach Research Foundation

## Whistleblower Policy

Date Approved: December 19, 2013

### Purpose

California State University, Long Beach Research Foundation (CSULBRF) requires officers, directors, employees, and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. It provides that employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and must comply with all applicable laws, regulations and organizational policies. Nonetheless, there exists the need for a policy that encourages the reporting of serious concerns regarding misconduct, while providing those who report such conduct protection against retaliation.

CSULBRF encourages initial reporting to occur internally to allow for expeditious resolution of all such matters and to minimize any adverse effects of the improper action. Each officer, director, employee, and volunteer of CSULBRF is encouraged to report any action or suspected action considered to be fraudulent, in violation of federal, state, or local laws, or in violation of any adopted policy of CSULBRF. If there is any question as to whether an action should be reported, the CSULBRF Chief Operating Officer may be consulted for guidance.

The objectives of the CSULBRF Whistleblower Policy are to establish policy and procedures for:

- The submission of concerns by officers, directors, employees, volunteers, of CSULBRF on a confidential basis.
- The reporting and disposition of complaints received by the organization.
- The protection from retaliatory actions of stakeholder reporting concerns.

### No Retaliation

No stakeholder who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, an employee or volunteer who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including termination of employment or dismissal from the volunteer position.

## **Reporting by Employees and Volunteers**

The reporting of a concern should occur as soon as possible after discovery to enable as timely and effective investigation as possible. Employees and volunteers should first discuss their concern with their immediate supervisor. If, after speaking with a supervisor and no action has been taken, the individual continues to have reasonable grounds to believe the concern is valid, the individual should report the concern to the Associate Director of Human Resources. If the individual is uncomfortable speaking with his or her supervisor, or the supervisor is a subject of the concern, the individual should report his or her concern directly to the Associate Director of Human Resources.

If the concern was reported orally to the Associate Director of Human Resources, the reporting individual, with assistance from the Associate Director of Human Resources, shall reduce the concern to writing, using the Whistleblower Reporting Form. The Associate Director of Human Resources is required to promptly report the concern to the Chief Operating Officer, who has specific responsibility to investigate all concerns. If the Associate Director of Human Resources, for any reason, does not forward the concern to the Chief Operating Officer within three business days, the reporting individual may directly report the concern to the Chief Operating Officer.

## **Reporting by Other Stakeholders**

Officers and directors should submit concerns in writing directly to the Chief Operating Officer.

### **Concerns Regarding the CSULB Chief Operating Officer**

All concerns regarding the Chief Operating Officer shall be directly reported to the CSULBRF Chief Executive Officer.

### **Concerns Regarding the CSULB Chief Executive Officer**

All concerns regarding the Chief Executive Officer shall be directly reported to the Chair of the CSULBRF Audit Committee.

## **Handling of Reported Violations**

The Chief Operating Officer will acknowledge receipt of the concern within five business days of receipt. If the concern involves an incident of actual or suspected theft, fraud, defalcation, or other irregularity involving corporate assets, the Chief Operating Officer shall immediately notify the Chief Executive Officer and the University Director of Internal Auditing.

The Chief Operating Officer shall have the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations. The Chief Operating Officer shall also have the authority to designate the CSULB Director of Internal Audit to conduct the investigation. Appropriate corrective action will be recommended to the Board of Directors, if warranted by the investigation. In addition, the action taken shall include follow-up with the reporting party.

## **Accounting and Auditing Matters**

The CSULBRF Audit Committee shall be informed of all reported concerns or complaints regarding corporate accounting practices, internal controls, or auditing. The Chief Operating Officer shall work with the committee until the matter is resolved.

## **Confidentiality**

Reports of concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious offense and may result in discipline, up to and including termination of employment.

## **Acting in Good Faith**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates fraudulent activity or activity in violation of federal, state, or local laws, or in violation of any adopted policy of CSULBRF. Allegations that are proven to be without a reasonable belief in their truth, or that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious offense, and may result in discipline, up to and including dismissal from the volunteer position or termination of employment.

If a CSULBRF employee, volunteer, officer or director, elects not to report suspected unlawful activity as defined above, he or she may contact the California Office of the Attorney General's whistleblower hotline at (800) 952-5225. The Attorney General shall refer calls received on the whistleblower hotline to the appropriate governmental authority for review and possible investigation.

# California State University, Long Beach Research Foundation Whistleblower Reporting Form

The purpose of this form is to provide a mechanism for reporting any action or suspected action taken within CSULBRF that is believed to be fraudulent, in violation of federal, state, or local laws, or in violation of any adopted policy of CSULBRF. Anyone reporting a concern of this nature must act in good faith, without malice toward the CSULBRF or any individual, and have reasonable grounds for believing that the act reported actually occurred.

NO ONE WHO IN GOOD FAITH MAKES A REPORT OR COOPERATES IN THE INVESTIGATION OF AN ALLEGATION SHALL SUFFER HARASSMENT, RETALIATION OR ADVERSE EMPLOYMENT CONSEQUENCES.

---

## Name of Person Filing Report

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

## Name of Person(s) Subject to this Allegation

\_\_\_\_\_  
Name

\_\_\_\_\_  
Relation/Position

If this person is not an employee of the CSULBRF, please list his or her position or relationship to CSULBRF (e.g., Board Member, Volunteer).

---

## Allegation Report

Please include as much detail as possible to enable a thorough investigation of the matter. Please go beyond the questions below and the space provided if necessary to adequately describe the matter.

What act occurred and how do you believe it was fraudulent, illegal or inappropriate?

When and where did the alleged act occur?

(Please indicate if the actions were committed over a period of time)

What do you believe enabled the alleged act(s) to occur? (e.g., a lack of controls, circumvention of controls, or collusion with other individuals, etc.). Are you aware of any motives for the misconduct?

Does the misconduct involve the participation of people external to CSULBRF?

Are there any witnesses that can confirm the alleged act(s)?

**EVIDENCE:** Please attach a copy of any supporting documents or other evidence in your possession, if any. **DO NOT** attempt to obtain more evidence.

You are the reporting party and not an investigator.