

NASW WHISTLEBLOWER POLICY

11.12.09

Updated 9.17.19 with additional introductory paragraph (italics)

In keeping with the policy of maintaining the highest standards of conduct and ethics, the National Association of Science Writers, Inc. (the "Association") will investigate any suspected fraudulent or dishonest use or misuse of the Association's resources or property by staff, officers, board members, consultants, or volunteers.

Staff, officers, board members, consultants, and volunteers are encouraged to report suspected fraudulent or dishonest conduct (i.e., to act as "whistleblower"), pursuant to the procedures set forth below.

Article VII of the Association's Constitution and Bylaws sets forth procedures for making complaints that a member's conduct is substantially prejudicial to the best interests of the Association, for the investigation of such complaints, and for sanctioning or terminating a member. Such complaints must be made pursuant to the terms of the Association's Constitution and Bylaws, and are not covered by this whistleblower policy unless the complaint involves suspected fraudulent or dishonest use or misuse of NASW's resources or property by a member. If NASW intends to take corrective action under this whistleblower policy that includes sanctioning or terminating a member, the procedures described in the Association's Constitution and Bylaws must be followed.

Reporting

A person's concerns about possible fraudulent or dishonest use or misuse of resources or property should be reported to his or her supervisor or, if suspected by a volunteer, to the staff member supporting the volunteer's work. If, for any reason, a person finds it difficult to report his or her concerns to a supervisor or staff member supporting the volunteer's work, the person may report the concerns directly to the President or the Vice-President. Alternately, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

Whether or not you identify yourself, for a proper investigation to be conducted, please provide the Association with as much information as you can, sufficient to do a proper investigation, including where and when the incident occurred, names and titles of the individuals involved, and as much other detail as you can provide.

Definitions

Baseless Allegations

Allegations made with reckless disregard for their truth or falsity. Individuals making such allegations may be subject to disciplinary action or legal action by the Association, and/or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct

A deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include

- Forgery or alteration of documents
- Unauthorized alteration or manipulation of computer files
- Fraudulent financial reporting
- Pursuit of a benefit or advantage in violation of the Association's Conflict-of-Interest Policy
- Misappropriation or misuse of the Association's resources, such as funds, supplies, or other assets
- Authorizing or receiving compensation for goods not received or services not performed
- Authorizing or receiving compensation for hours not worked

Whistleblower

An employee, consultant, or volunteer who informs a supervisor or the President about an activity relating to the Association which that person believes to be fraudulent or dishonest.

Rights and Responsibilities

Supervisors

Supervisors are required to report suspected fraudulent or dishonest conduct to the President or, if the report concerns conduct of the President, to the Vice President. Reasonable care should be taken in dealing with suspected misconduct to avoid:

- Baseless allegations
- Premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
- Violations of a person's rights under law

Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Supervisors, while appropriately concerned about "getting to the bottom" of such issues, should not in any circumstances perform any investigative or other follow-up steps without the authority of the President or Vice-President. Accordingly, a supervisor who becomes aware of suspected misconduct:

- Should not contact the person suspected to further investigate the matter or demand restitution
- Should not discuss the case with attorneys, the media, or anyone other than the President, Vice-President, or Executive Director

- Should not report the case to an authorized law enforcement officer without first discussing the case with the President, Vice-President or the Executive Director

Investigation

All relevant matters, including suspected but unproved matters, will be reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary. Investigations may warrant investigation by independent persons such as auditors and/or attorneys.

Whistleblower Protection

The Association will protect whistleblowers as defined below:

- The Association will use its best efforts to protect whistleblowers against retaliation. Whistleblowing complaints will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that whistleblower complaints will only be shared with those who have a need to know so that the Association can conduct an effective investigation, determine what actions to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel. (Should disciplinary or legal action be taken against a person or persons as a result of a whistleblower complaint, such persons may also have the right to know the identity of the whistleblower, though the Association should confer with an attorney prior to revealing the identity of the whistleblower.)
- Employees, consultants, and volunteers of the Association may not retaliate against a whistleblower for informing management about an activity which that person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or fees. Whistleblowers who believe that they have been retaliated against may file a written complaint with the President or the Vice-President. Any complaint of retaliation will be promptly investigated and appropriate corrective measures, which may include termination of employment, taken if allegations of retaliation are substantiated. This protection from retaliation is not intended to prohibit supervisors from taking action, including disciplinary

action, in the usual scope of their duties and based on valid performance-related factors.

- Whistleblowers must not make baseless allegations (as defined herein).
- The Association will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of the Association, or of another individual or entity with whom the Association had a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy.
- The Association will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy, or practice of the Association that the employee reasonably believes is in violation of a law, or a rule or regulation, mandated pursuant to law or is in violation of law or a clear mandate of public policy concerning health, safety, welfare, or protection of the environment.
- An employee is protected from retaliation under this Whistleblower Policy only if the employee brings the alleged unlawful activity, policy, or practice to the attention of his or her supervisor or the President or Vice-President and provides such officer with a reasonable opportunity to investigate and correct, as appropriate, the alleged unlawful activity or if otherwise required by applicable law.
- Notwithstanding anything herein to the contrary, the Association will not retaliate against an employee if he or she provides to a law enforcement officer any truthful information relating to the commission or possible commission of a Federal offense.