

In congruence with Optimist International (OI) Personnel Policy Number 5.60

**Statement Of Purpose**

While it is recognized that the Sarbanes-Oxley Act of 2002 does not directly apply to the nonprofit/charitable sector, OI recognizes the purposes and intent of that legislation as well as similar legislation enacted in numerous states. Therefore, OI hereby adopts its policy regarding personnel practices commonly known as “whistleblowing”. The policy is intended to encourage and enable employees and others to review the issues set forth herein within the organization prior to seeking outside resolutions.

**Application Of Policy**

This policy applies for the benefit of and creates an obligation on all employees, directors, officers and committee members of OI and is intended to ensure that all such personnel function in their duties within the highest standards of business and personal ethics in the conduct of their duties and responsibilities while always acting in compliance with all applicable laws and regulations.

**Required Action**

All persons covered by this policy have the duty and obligation to report to the designated person in section five of this policy, all discovered incidents of fraudulent or dishonest conduct, conduct in violation of law and other conduct deemed to be detrimental to Optimist International performed by any person covered by this policy.

**Definition of Conduct**

Fraudulent conduct, dishonest conduct, conduct in violation of law and other conduct deemed to be detrimental to OI shall include but BE not limited to:

1. Forging or material alteration of documents
2. Unauthorized alteration or manipulation of computer files
3. False financial reporting
4. Use of OI for pursuit of personal benefit or advantage in conflict with the interests of OI
5. Misappropriation or misuse of OI resources such as funds, supplies or other assets

6. Authorizing or receiving compensation for goods not received or services not performed
7. Improper use of OI internet sites including accessing of and forwarding of pornography, gambling and racial material
8. Unauthorized and excessive expenditure of OI funds
9. Inappropriate acts while in the presence of children while representing OI or while present during activities sponsored OI, including excessive use of alcoholic beverages or acts of abuse or OF a sexual nature

**Duties And Responsibilities**

Any person to whom this policy applies who obtains information concerning any conduct proscribed by this policy shall report such information to a Senior Director or the Executive Director in the case of employee, officer or director and to the President and/or Chairman of the OI Board of Directors if the conduct concerns a volunteer. If the reporting person finds it difficult to report to the designated person, the report may be made to the OI President, Chairman of the OI Board of Directors or Chair of the Audit & Finance Committee. The report may be made orally or in writing. The report may be made anonymously.

**Confidentiality**

All complaints will, to the extent possible, be kept strictly confidential for the purpose of protection of the alleged wrongdoer and the reporting person while recognizing that OI has the obligation to determine the validity of the report.

**Investigation**

Upon receipt of a report by the designated person it shall be reviewed, evaluated and investigated by the Executive Director, unless the Executive Director is the subject of the report, in which case the report shall be directed to a designated person for further handling.

The designated person shall then document receipt of the complaint and conduct or direct the conducting of such investigation as is necessary to determine the validity of the complaint and to determine what, if any, action is to be taken. The reporting party and other persons with a need to know shall be informed of any action taken.

**Retaliation**

OI will use its best efforts to protect the reporter from retaliation of any kind based upon the making of a report. No reporter who in good faith makes a report shall suffer harassment, retaliation or adverse employment consequence. Anyone who retaliates against a good faith reporter is subject to discipline up to and including termination. Any reporter who believes that they have been retaliated against may file a written report with the Executive Director, the Chairman of the OI Board of Directors or the OI President at the reporter's option. The report will be fully investigated and appropriate corrective measures taken if the allegations of retaliation are proven.

**Acting In Good Faith**

Anyone filing a report concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed is true and indicates a violation. Any allegation that proves to be unsubstantiated and which proves to have been made with malice, with knowledge of falsity or without reasonable factual basis will be viewed as a serious offense subjecting the reporter to discipline up to and including discharge.

**Compliance Officer**

OI may designate an employee as Compliance Officer. To this designated person may be referred all reports, from whatever source, including from those persons designated in this policy to receive reports. The Compliance Officer shall then assume responsibility for evaluating reports and submitting their report to the Executive Director.

**General Obligations**

OI recognizes that this policy covers areas of a highly sensitive nature. It is incumbent upon all persons involved in the process to take utmost care in dealing with suspected or alleged misconduct to avoid baseless allegations, premature notice to persons suspected of misconduct, disclosure of suspected misconduct to those not involved in the investigation process and violation of a person's legal rights.

OPTIMIST INTERNATIONAL  
Employee Protection (Whistleblower) Policy

If any employee reasonably believes that some policy, practice, or activity of Optimist International is in violation of law or public policy, and management has not resolved the issue, a written or email complaint must be filed by that employee with the Optimist International Board of Director’s Personnel Committee. The Committee is charged to review all issues so as to protect whistleblowers as an essential component of an ethical and open work environment.

It is the intent of Optimist International 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 is necessary to achieving compliance with various laws and regulations.

All employees are obligated to bring the alleged unlawful activity, policy, or practice to the attention of Optimist International through the Personnel Committee and provides Optimist International with a reasonable opportunity to investigate and correct the alleged unlawful activity.

Optimist International will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of Optimist International 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 a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with an opportunity to ask questions about the policy. Any allegation that proves to be unsubstantiated and which prove to have been made with malice, with knowledge of falsity or without a reasonable factual basis will be viewed as a serious offense subjecting the reporter to discipline including discharge.

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Employee Signature

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Date

(Mar 2006; Mar 2008; Dec 2009; Mar 2010; Jul 2012; Sept 2024)