

**RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY:  
WHISTLEBLOWER POLICY**

I. Introduction

- A. This Whistleblower Policy (the “**Whistleblower Policy**”) of the Riverhead Industrial Development Agency (the “**Agency**”) is adopted by resolution pursuant to Section 2824(1) of the Public Authorities Law.
- B. The purpose of this Whistleblower Policy is to protect employees from retaliation for disclosing information concerning acts of wrongdoing, misconduct, malfeasance or other inappropriate behavior by an employee or member of the Board of Directors of the Agency (the “**Board**”) in connection with the Agency’s finances or other aspects of its operations.
- C. This Whistleblower Policy also sets forth the retention and treatment of such complaints, including confidential, anonymous submissions received from employees.

II. Operative Policy

- A. Should any person know or have a reasonable belief that persons associated with the Agency plan to engage or have engaged in illegal or unethical conduct in connection with the finances or other aspect of the Agency’s operations, that person should immediately file a complaint with the Executive Director. Employees of the Agency may submit complaints on a confidential, anonymous basis. If the complaint concerns the Executive Director or if the complainant is not comfortable reporting to the Executive Director, the complainant should then notify the Chair of the Board.
- B. Issues arising under the Agency’s equal employment opportunity policy, including the policy against harassment, employee benefit policies and issues generally handled by individuals responsible for the Agency’s personnel practices and procedures are not covered by the policy. Mechanisms for resolving such issues are addressed in separate procedures.
- C. The Executive Director or Chair of the Board will report all complaints to the Chair of the appropriate committee, such as the Audit or Governance Committee, or if the Chair is the subject of the complaint, to another member of the committee, prior to the next regularly scheduled meeting. In appropriate circumstances, the Executive Director or Chair of the Board may report a complaint to the co-chairperson. Reports to the co-chair or other committee member or to the Chair of the Board will include the following:

1. a copy of the complaint, its date, nature and source (unless complainant is an employee who has requested confidentiality and/or anonymity);
  2. how the complaint was communicated; and
  3. whether the Executive Director regards the complaint as credible, and proposes to address it.
- D. The Chair or other committee member will promptly report the complaint to the full committee, except that the complaint will not be shared with the individual who is the subject of the complaint. Likewise, if a complaint is reported to the Chair of the Board, he or she will promptly report the complaint to the full Board, except to any individual who is the subject of the complaint.
- E. All credible allegations will be followed up promptly, with further investigation conducted if needed to resolve disputed facts. In conducting its investigations, the Agency will respect an employee's request for confidentiality and/or anonymity and will strive to keep the identity of other complainants as confidential as possible, consistent with the need to conduct an adequate review and investigation.
- F. The committee to which a complaint has been reported will inform the Board if any complaint is confirmed, or if the committee otherwise believes that the Board should be made aware of the situation. The committee will have ultimate authority over the treatment of any complaints reported to it, subject to the Board's oversight.
- G. The committee or, in the case of complaints reported to the full Board, the Board, will ensure that records of all complaints are maintained in accordance with the Agency's document retention policy.
- H. The Agency shall take appropriate action in response to any complaints including, but not limited to, disciplinary action (up to and including termination) against any person who, in the Agency's assessment, has engaged in misconduct and report such misconduct to the relevant civil or criminal authorities as required by law.
- I. The Agency will not knowingly, with the intent to retaliate, take any action harmful to any person, including interference with lawful employment or livelihood, for reporting a complaint in good faith pursuant to this Whistleblower Policy or to law enforcement officers, governmental agencies or bodies, or persons with supervisory authority over the complainant.
- J. There will be no punishment or other retaliation for:
1. providing information regarding a complaint in good faith to, or otherwise assisting in any investigation regarding a complaint conducted by, the

Agency, law enforcement officers, governmental agencies or bodies or persons with supervisory authority over the complainant; or

2. filing a complaint in good faith, or otherwise participating or assisting in a proceeding filed or about to be filed (with any knowledge of the Agency) regarding any complaint.

- K. Any individual who deliberately or maliciously provides false information may be subject to disciplinary action (up to and including termination).

Adopted 3/11/13