



Eastern Los Angeles Regional Center Whistleblower Policy

Purpose:

Eastern Los Angeles Regional Center's ("ELARC") requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. It is the responsibility of all directors, officers and employees to comply and report violations or suspected violations in accordance with this Whistleblower Policy. ELARC will need a clear and concise written statement of the improper activity and any evidence the complainant has to support the allegation without fear of retaliation.

Definitions of Regional Center or Vendor/Contractor Whistleblower complaints are defined as the reporting of an "improper Regional Center or Vendor/Contractor activity.

1. An "improper regional center activity" is defined as an activity by a regional center, an employee, officer, or Board member of a regional center in the conduct of regional center business, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.
2. An "improper Vendor/Contractor activity" means an activity by a Vendor/Contractor, or an employee, officer, or board member of a Vendor/Contractor, in the provision of DDS-funded services, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.

Policy:

1. No Retaliation

No director, officer or employee, of the regional center and/or vendor/contractor who in good faith reports improper activities shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to disciplinary action up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns with ELARC prior to seeking resolution outside the ELARC.

2. Reporting Improper Activities

ELARC has an open door policy and suggests that employees and others share their questions, concerns, suggestions or complaints with the appropriate staff who can address them properly. Supervisors and managers are required to report suspected violations to the Organization's Human Resources Manager, who has specific and exclusive responsibility to investigate all reported improper activities. For suspected fraud, or when you are not satisfied or uncomfortable in following the Organization's policy, individuals may contact the Organization's Human Resources Manager directly. In most cases the following is the order your complaint should take:

1. Immediate supervisor
2. Manager
3. Human Resources Manager
4. Chief
5. Executive Director
6. Member of the Board of Directors
7. Department of Developmental Services

If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Human Resources Manager or anyone in management whom you are comfortable in approaching. However, if a satisfactory resolution has not occurred, you are encouraged to also address your concerns with the Executive Director. This may be done by making an appointment through the executive assistant at 626.299.4740 or asalas@elarc.org. If you still feel your concerns have not been addressed satisfactorily, you may file a complaint with the ELARC Board of Directors. To do so, contact the executive assistant at the above number who will assist you in setting up an appointment.

Should the improper activity be so pervasive as to involve the entire executive team, the initial report may be made to the President of the Board or designee, or directly to the California Department of Developmental Services by following the complaint process outlined at <https://www.dds.ca.gov/general/appeals-complaints-comments/regional-center-or-vendor-contractor-whistleblower-complaints/> or on the ELARC website at www.elarc.org. Likewise, should the internal investigation prove to be compromised or unnecessarily delayed the complaint may be escalated to the next level.

3. Compliance Officer

The ELARC's Human Resources Manager is the Compliance Officer and is responsible for investigating and resolving all reported complaints and allegations concerning improper activities and, shall advise the Executive Director and at her discretion, the Finance & Personnel committee. The Human Resources Manager has direct access to the Finance & Personnel

committee of the board of directors and is required to report to the committee at least annually on compliance activity.

4. Accounting and Auditing Matters

The Finance & Personnel committee of the board of directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Human Resources Manager shall immediately notify the Executive Director and the Finance & Personnel Committee of any such complaint and work with them until the matter is resolved.

5. Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected improper activity must be acting in good faith and have reasonable grounds for believing the information disclosed indicates an improper activity. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

6. Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. If a complainant does not provide their name or other information (witnesses or documents) that clearly identifies the person he/she is alleging has acted improperly, and the Regional Center or Vendor/Contractor where that person works, ELARC may not have sufficient information to investigate.

Although complaints may be filed anonymously, if insufficient information is provided and ELARC has no means to contact the complainant, ELARC may not be able to investigate the allegations.

7. Handling of Reported Violations

The Human Resources Manager will notify the sender and acknowledge receipt of the reported improper activities within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

ELARC Whistle Blower Policy Acknowledgement Form

I have received and read the Whistleblower Policy and fully understand my responsibilities.

This policy will be updated and distributed on an annual basis.

Employee/Board of Directors Name: _____

Signature: _____

Date: _____