**Procedure Name: Whistleblower/Anti-Retaliation**

**Purpose:**

This Whistleblower/Anti-retaliation Policy is intended to ensure that The Agency provides an environment that encourages individuals to report compliance concerns confidentially without fear of retaliation or retribution.

**Scope:**

This policy applies to all employees, directors, officers and volunteers of The Agency and will be distributed to all employees, directors, officers and volunteers who provide substantial services to The Agency.

**Detailed Procedure(s)**:

* **Reporting Responsibility**

Employees, directors, officers and volunteers are required to report any known or suspected violations of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which The Agency is governed to the **Corporate Compliance Officer.**

**The Corporate Compliance Officer is Tracy Crisafulli, 716-375-4747 ext. 533,** [**tcrisafulli@rehabcenter.org**](mailto:tcrisafulli@rehabcenter.org)**.**

The Corporate Compliance Officer will investigate all reported complaints. When making a report, leave as much detailed information as possible regarding the concern; to include potential involved parties, dates, etc. This will allow for a full/appropriate investigation.

* **Confidentiality**

Reports made by any employee, director, officer or volunteer pursuant to this policy will be strictly confidential and may be left anonymously. No caller will be required to disclose his or her identity and no attempt will be made to trace the source of the call or the identity of the caller when the caller requests anonymity.

If a caller has revealed his or her identity, confidentiality will be maintained to the extent practicable and allowed by law. Callers should be aware, however, that it may not be possible to preserve anonymity if they identify themselves, provide other information which identifies them, the investigation reveals their identity or they inform people that they made a report. Callers should also be aware that The Agency is legally required to report certain types of crimes or potential crimes and infractions to external governmental agencies.

All investigations of reported matters will be conducted in a confidential manner, so that information will be disclosed only as needed to facilitate review of the investigation or otherwise as required by law.

* **Tracking & Investigations of Reports**

The Corporate Compliance Officer is responsible for ensuring that all complaints are investigated and resolved. The Compliance Officer shall prepare a report to the Board of Directors at least annually summarizing incidents reported, investigatory findings and any corrective actions taken.

* **Non-Retaliation/Non-Retribution**

No employee, director, officer or volunteer of The Agency who in good faith reports any action or suspended action taken by or within The Agency that is illegal, fraudulent, or in violation of any adopted policy of The Agency shall suffer intimidation, harassment, discrimination or other retaliation, or in the case of an employee, adverse employment consequence.

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. 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.

The non-retaliation/non-retribution provisions of this policy do not permit employees, directors, officers or volunteers to avoid the consequences of their own wrongdoing by reporting such wrongdoing. Disciplinary actions taken against an employee, director, officer or volunteer who reports his or her own wrongdoing will be a result of the wrongdoing itself, not the reporting of the wrongdoing and, therefore, are not to be considered retaliation or retribution.

* **Reporting Retaliation/Retribution Complaints**

If an Agency employee, director, officer or volunteer believes in good faith that he or she has been retaliated against for initiating a report or complaint or for participating in any investigation related to such report or complaint, then he or she should report the retaliation to the Corporate Compliance Officer as soon as possible. The report should provide a thorough account of the incident(s) and should include names, dates of specific events, the names of any witnesses and the location or name of any document in support of the alleged retaliation.

The Agency will conduct a thorough and objective investigation of the incident(s). Adverse actions in retaliation for an employee’s report or complaint may result in discipline, up to and including termination.