

COLUMBUS ASSOCIATION OF REALTORS®

Dishonest Conduct & Whistleblower Policy

The Columbus Association of REALTORS® (Association) will investigate any possible fraudulent or dishonest use or misuse of Association resources or property by management, staff, volunteers, or members. Anyone found to have engaged in a fraudulent or dishonest conduct is subject to disciplinary action by the Association up to and including civil or criminal prosecution when warranted.

All members of the Association community are encouraged to report possible fraudulent or dishonest conduct. An employee should report his or her concerns to a staff director, supervisor or manager. If for any reason an employee finds it difficult to report his or her concern to a staff director, manager or supervisor, the employee can report it directly to the Chief Executive Officer or the Association treasurer.

Staff directors, managers or supervisors are required to report suspected fraudulent or dishonest conduct to the CE Officer or the Association treasurer.

For more information about definitions, rights and responsibilities, procedures, and contacts read the following.

Definitions

Baseless Allegations: allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action, 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, but are not limited to:

- 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 Association resources, such as money, credit, 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 who informs the proper authority about an activity which that person believes to be fraudulent or dishonest.

Rights and Responsibilities

Staff directors / managers or supervisors

Staff directors, managers or supervisors are required to report suspected fraudulent or dishonest conduct. In addition, they are responsible for maintaining a system of management controls, which detect and deter fraudulent or dishonest conduct. Failure by a staff director, manager or supervisor to establish management controls or report misconduct within the scope of this policy may result in adverse personnel action against them, up to and including dismissal. The CEO or Association treasurer is available to assist in establishing management systems and recognizing improper conduct.

Reasonable care should be taken in dealing with suspected misconduct to: avoid baseless allegations; avoid premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation; and to avoid violations of a person's rights under law.

Accordingly, a staff director, manager or supervisor faced with a suspected misconduct: should not contact the person suspected to further investigate the matter or demand restitution; should not discuss the case with anyone other than the CEO or Association treasurer, the Association attorney, or a duly authorized law enforcement officer; should direct all inquiries from any attorney retained by the suspected individual to Association's attorney; and should direct all inquiries from the media to the CEO, or in the event that person cannot be contacted, to the Association attorney.

Whistleblower Protection

The Association will protect whistleblowers as defined below.

The Association will use best efforts to protect whistleblowers against retaliation, as described below. It cannot guarantee confidentiality, however, and there is no such thing as an "unofficial" or "off the record" report. The Association will keep the whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow the Association or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of fraud policy violations is entitled to the information as a matter of legal right in disciplinary proceedings.

Association employees may not retaliate against a whistleblower with the intent or effect of adversely affecting the terms or conditions of employment (including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages). Whistleblowers who believe that they have been retaliated against may file a written complaint with the CEO or Association treasurer. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

Contacts

Questions related to the interpretation of this policy should be directed to the CEO or the Association attorney.

Effective Date: November 19, 2008