



TEXAS J

Regional Advisory Council

Standard Operating Procedure

SOP Title: **Whistleblower**
SOP NUMBER: **JRAC 1003**
SOP EFFECTIVE DATE: 7/11
SOP REVIEWED: 2/12
SOP REVISED: 2/12

SOP STATEMENT:

As long as the organization is in existence, an Officer, Member, or Participant of the Organization shall not:

1. Act in violation of the By-laws or a binding obligation of the Organization.
2. Act with the intention of harming the Organization or any of its operations.
3. Act in any manner that would make it impossible or unnecessarily difficult to carry on the intended or ordinary business of the Organization.
4. Receive an improper personal benefit from the operation of the Organization.
5. Use the assets of this Organization, directly or indirectly, for any purpose other than carrying on the business of this Organization.
6. Wrongfully transfer or dispose of Organization property, including intangible property such as goodwill.
7. Use the name of the Organization (or any substantially similar name) or any trademark or trade name adopted by the Organization, except on behalf of the Organization in the ordinary course of the Organization's business.
8. Disclose any of the Organization's business practices, trade secrets, or any other information not generally known to the business community to any person not authorized to receive it.
9. Take any action inconsistent with the Articles of Incorporation. As stated in the Employee Handbook under Employee Protection – Whistleblower, “to ensure that TXJRAC staff know the process for reporting illegal or other improper conduct described below by any other employee, TXJRAC Officer, Member, or Participant”. Does TXJRAC have an employee handbook? Is your intent to quote from that handbook? That is what I am assuming with this correction. Otherwise, the statement does not make sense.

PURPOSE:

1. To ensure that a TXJRAC Officer, Member, Participant, or employee knows:
 - 1.1. The process for reporting illegal or other improper conduct/activity by any other Officer, Member, Participant, or employee of the TXJRAC.
 - 1.2. The informant is protected from retaliation for reporting such activities.

2. TXJRAC Officer, Member, Participant, or employee shall report to the chair/Vice chair or member of the Executive Board, all evidence by any Officer, Member, Participant, or employee of the TXJRAC that they believe is:
 - 2.1. Violation of federal or state law, rule, or regulation; or
 - 2.2. Fraud; or
 - 2.3. Misappropriations of TXJRAC resources; or
 - 2.4. Any fiscal or financial irregularity; or
 - 2.5. A significant danger to anyone's health or safety.
3. An individual who in good faith reports such incidents shall not be retaliated against in terms of conditions of participation or employment including dismissal.
4. No one will be adversely affected because they refused to carry out a directive which constitutes a violation of federal or state law or poses a substantial danger to themselves or the public health and safety. Anonymous information will be accepted and investigated in accordance with the procedures outlined below.
5. Anyone who retaliated against someone who has reported a violation in good faith is subject to discipline up to, and including, dismissal from the TXJRAC, or termination of employment.
6. 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.
7. This Whistleblower SOP is intended to encourage and enable an individual to raise serious concerns within the organization prior to seeking resolution outside the organization.

PROCEDURES:

1. Any TXJRAC Officer, Member, Participant, or employee who has evidence or knowledge of alleged illegal or improper activity as defined in purpose number two (2) above shall contact the TXJRAC Chair/Vice Chair or member of the Executive Board to report the activity.
2. 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.
3. The TXJRAC chair/Vice chair or member of the Executive Board will acknowledge receipt of the reported violation or suspected violation within five business days.
4. All reports will be promptly investigated.
5. Appropriate corrective action will be taken if warranted by the investigation.
6. All documents relating to the report, and any investigations, actions and recommendations based on such reports, whether in hard copy or electronic format, in whatever medium, disks, tapes, etc. will be safeguarded from destruction and unauthorized access.
7. All reports received by or communicated to the TXJRAC Chair/Vice Chair or member of the Executive Board shall be documented for tracking purposes.
8. Investigative findings and corrective actions will be reported to the General Membership.