



Reporting Noncompliance Concerns And Non-Retaliation

Purpose:

We at Abilities First, Inc. recognize that a critical aspect of our Compliance Program is the establishment of a culture that promotes prevention, detection, and resolution of instances of conduct that do not conform to federal and state requirements, as well as the organization's ethical and business policies.

To promote this culture, Abilities First, Inc. established a compliance reporting process and a strict non-retaliation policy to protect employees and others who report problems and concerns in good faith from retaliation. Any form of retaliation or retribution can undermine the compliance resolution process and result in a failure of communication channels in the organization.

Policy:

1. All employees have an affirmative duty and responsibility for promptly reporting any known or suspected misconduct, including actual or potential violations of laws, regulations, policies, and procedures, Agency's Compliance Plan or the Agency's Code of Conduct.
2. The "open-door policy" is maintained at all levels of management to encourage employees to report problems and concerns.
3. Abilities First, Inc. maintains a Compliance Hotline. Employees may report their compliance concerns to the Director of Quality Assurance. We will do our best to maintain the confidentiality of the reporting individual although we cannot guarantee anonymity. Employees may also report compliance concerns anonymously through use of the Compliance Hotline. This hotline is checked every workday. The telephone number for the Hotline is 845-485-5983.

In addition to the Compliance Hotline Abilities First Inc., has a dedicated email address for the reporting of compliance concerns. The email is compliance@abilitiesfirstny.org. The email address is not a method for anonymous reporting.

4. Any form of retaliation against any employee who reports a perceived problem or concern in good faith is strictly prohibited.
5. Any employee who commits or condones any form of retaliation will be subject to discipline up to, and including, termination.
6. Employees cannot exempt themselves from the consequences of their own misconduct by reporting the issue, although self-reporting may be taken into account in determining the appropriate course of action.

Procedures that apply to all employees:

1. Knowledge of misconduct, including actual or potential violations of laws, regulations, policies, procedures, or the organization's Code of Conduct, must be immediately reported to management, the Director of Quality Assurance, or the Compliance Hotline.
2. Confidentiality will be maintained to the extent that is practical and allowable by law. Employees should be aware that Abilities First, Inc. is legally required to report certain types of crimes or potential crimes and infractions to external governmental agencies.
3. Employees may report their compliance concerns anonymously to the Compliance Hotline. If they wish, they can provide their identity. Callers should be aware, however, that it may not be possible to preserve anonymity if they identify themselves, provide other information that identifies them, the investigation reveals their identity, or if they inform others that they have called the Compliance Hotline.
4. If the caller wishes to make the report anonymously to the Compliance Hotline, no attempt will be made to trace the source of the call or identify the person making the call. However, please make every effort to provide as many details as possible so that we can appropriately investigate the report. The Compliance Hotline number is published and visibly posted in a manner consistent with employee notification in locations frequented by Agency employees.
5. Abilities First, Inc. will not impose any disciplinary or other action in retaliation against individuals who make a report or complaint in good faith regarding a practice that the individual believes may violate the Agency's Compliance Plan, Code of Conduct, its Compliance Policies and Procedures, or any of the laws, rules or regulations by which the Agency is governed. "Good faith" means that the incident is reported as soon as it is discovered and that the individual believes that the potential violation actually occurred as he or she is actually reporting.
6. Abilities First, Inc. strictly prohibits its employees from engaging in any act, conduct or behavior which results in, or is intended to result in, retaliation against any employee for reporting his or her concerns relating to a possible violation of the Agency's Corporate Compliance Plan, Code of Conduct, its Compliance Policies and Procedures, or any of the laws, rules or regulations by which the Agency is governed.
7. If an employee believes in good faith that he has been retaliated against for reporting a compliance complaint or concern or for participating in any investigation of such a report or complaint, the employee should immediately report the retaliation to the Director of Quality Assurance, the Compliance Hotline, or at compliance@abilitiesfirstny.org. The report should include a thorough account of the incident(s) and should include the names, dates and specific events, the names of any witnesses and the location or name of any document that supports the alleged retaliation. If anyone observes or perceives that another individual is being retaliated against for reporting an incident, then that person should also report the retaliation.
8. Knowledge of a violation or potential violation of this policy must be reported directly to the Director of Quality Assurance, the Compliance Hotline, or at compliance@abilitiesfirstny.org.

Procedures that apply to management (which includes executives, directors, managers, and supervisors):

Management must take appropriate measures to ensure that all levels of management support this policy and encourage the reporting of problems and concerns.

- Meet with department staff and discuss the main points within this policy

Procedures that apply to the Director of Quality Assurance:

1. The Director of Quality Assurance will be responsible for the investigation and follow-up of any reported retaliation against an employee for reporting a compliance concern or participating in the investigation of a compliance concern.
2. The Director of Quality Assurance will report the results of an investigation into suspected retaliation to the governing entity deemed appropriate, such as the Corporate Compliance Committee or the Board of Directors.

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