

# AUSTIN YACHT CLUB

## Whistleblower Policy

### General

This Whistleblower Policy is intended to encourage and enable Austin Yacht Club employees and volunteers to raise serious concerns within the Austin Yacht Club prior to seeking resolution outside the organization. Austin Yacht Club Board of Director members (directors), officers, and employees need to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

### Reporting Responsibility

It is the responsibility of all directors, officers, and employees to comply with Austin Yacht Club policies and all applicable laws and regulations, and report violations or suspected violations in accordance with this Whistleblower Policy.

### No Retaliation

No director, officer, or employee who in good faith reports a suspected violation shall suffer harassment, retaliation, or adverse employment consequence based on the reporting of such a violation. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. A director who retaliates is subject to discipline up to and including removal from the board. An AYC member who retaliates is subject to discipline up to and including termination of membership.

### Reporting Suspected Violations

Employees: The Austin Yacht Club has an open door policy and encourages employees to share their questions, concerns, suggestions, or complaints with someone who can address them properly.

Board Members: Board of director members are required to report suspected violations of Austin Yacht Club policies or relevant laws and regulations to the Austin Yacht Club Board Chair (Commodore).

See the Handling of Reported Violations for information regarding reporting suspected violations. Should Austin Yacht Club employees or board members feel that the process to report and/or investigate violations is inadequate, individuals can contact the Texas Attorney General Office.

### Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing there is indication of 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.

### Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to an extent possible that is consistent with the need to conduct an adequate investigation.

This Policy Approved by the Austin Yacht Club Board of Directors (date)\_\_\_\_\_.

# Handling of Reported Violations

## Reporting Concerns

### *Encouragement of Reporting*

The organization encourages complaints, reports, or inquiries about illegal practices or serious violations of the code, including illegal or improper conduct by the organization itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the organization has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment through the organization's human resources channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

### *Employees*

Employees should first discuss their concern with the General Manager. If, after speaking with the General Manager, the individual continues to have reasonable grounds to believe the concern is valid, the individual should report the concern to the Commodore. However, if the individual is uncomfortable speaking with the General Manager, or the General Manager is a subject of the concern, the individual should report his or her concern directly to the Commodore. In addition, suspected fraud should be reported directly to the chair of the audit committee, who may be contacted by e-mail at (audit\_committee@austinyachtclub.net) or by regular mail at:

Audit Committee Chair  
5906 Beacon Drive  
Austin, TX 78734

If the concern was reported verbally to the Commodore, the reporting individual, with assistance from the Commodore, shall reduce the concern to writing. The Commodore is required to promptly report the concern to the chair of the audit committee, which has specific and exclusive responsibility to investigate all concerns. If the Commodore, for any reason, does not promptly forward the concern to the audit committee, the reporting individual should directly report the concern to the chair of the audit committee. Concerns may also be submitted anonymously. Such anonymous concerns should be in writing and sent directly to the chair of the audit committee.

### *Directors and Other Volunteers*

Directors and other volunteers should submit concerns in writing directly to the chair of the audit committee.

The audit committee shall address all reported concerns. The chair of the audit committee shall immediately notify the audit committee and Commodore of any such report. The chair of the audit committee will notify the sender and acknowledge receipt of the concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted concerns.

All reports will be promptly investigated by the audit committee, and appropriate corrective action will be recommended to the board of directors, if warranted by the investigation. In addition, action taken must include a conclusion or follow-up, or both, with the complainant for complete closure of the concern.

The audit committee has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

