



**Policy for:  
LCRC  
Whistleblower  
Policy**

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Board Secretary	
Signature: _____	

**Purpose:**

This policy is intended to encourage the Louisiana Cancer Research Center (LCRC) staff and others to make good faith reports of suspected fraud, corruption, and other improper activity, or health and safety concerns within the LCRC to appropriate LCRC officials. In addition, those individuals who make these good faith reports shall be protected from retaliation, harassment, or any adverse employment consequences from LCRC and its employees.

**Policy Statement:**

The LCRC is committed to maintaining the highest ethical standards in the fulfillment of its mission. LCRC requires directors, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of LCRC, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. LCRC has the responsibility to investigate and report to appropriate parties allegations of suspected improper activities and to protect those employees, who, in good faith, report these activities to the proper authority.

**Definitions:**

**Whistleblower** - The disclosure by a person, usually an employee in a government agency or private enterprise, to the public or to those in authority, of mismanagement, corruption, illegality, or some other wrongdoing.

**Improper activities** – any violation of laws, rules, regulations or acts of fraud, corruption, and health and safety concerns.

**Reasonable cause** – to have knowledge of facts which, although not amounting to direct knowledge, would cause a reasonable person, knowing the same facts, to reasonable conclude the same thing. This shall include information obtained as a result of the filing of a police report, an internal audit finding, or other source indicating such a misappropriation of funds or assets has occurred.

**Misappropriation** – the fraudulent appropriation of funds or property for one’s own use; to embezzle

**Louisiana R.S. 24:524** - An agency head of an auditee who has actual knowledge of or reasonable cause to believe that there has been a misappropriation of the public funds or assets of his agency shall immediately notify, in writing, the legislative auditor and the district attorney of the parish in which the agency is domiciled of such misappropriation.

**Louisiana R.S. 24:523.1** - Every auditee shall post and keep posted in conspicuous places upon its premises a notice, prepared by the legislative auditor and located on his website, setting forth information concerning the reporting of the misappropriation, fraud, waste, or abuse of public funds. Every auditee shall also post such notices on the website of the auditee.

## **REPORTING RESPONSIBILITY**

It is the responsibility of all directors, officers and employees to report improper activities or suspected improper activities in accordance with the Whistleblower Policy.

## **NO RETALIATION**

No director, officer or employee who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequences. 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. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

## **REPORTING IMPROPER ACTIVITIES**

LCRC encourages complaints, reports or inquiries about illegal practices or serious violations of LCRC’s policies, 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. Directors, officers, and employees should share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, employees and volunteers should report to an administrative officer. However, if an employee or volunteer is not comfortable speaking with an administrative officer, that employee or volunteer is encouraged to report to any officer of the Board. In addition, if the person reporting the improper activity does not feel comfortable speaking with someone within the organization, they can contact the Louisiana Legislative Auditors Office.

Contacting the LLA Hotline can be done in any of the four ways below:

Telephone – 1-844-50 FRAUD (503-7283)

Fax – 1-844-40 FRAUD (403-7283)

Online – [www.reportfraud.la](http://www.reportfraud.la)

Mail – LLA Hotline, PO Box 94397, Baton Rouge, LA 70804

Louisiana R.S. 24:523.1 requires the LCRC to post a notice that provides information on how to report the misuse of public funds to the Louisiana Legislative Auditors office.

## **HANDLING OF REPORTED IMPROPER ACTIVITES**

All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. The complainant will be informed that follow-up has or is occurring within two weeks after an administrative officer or board officer has received the complaint or report. The LCRC Board shall be informed of all such complaints or reports.

Louisiana R.S. 24:524 requires the head administrative officer of the LCRC who has actual knowledge of or reasonable cause to believe that there has been a misappropriation of the LCRC funds or assets to immediately notify, in writing, the Louisiana legislative auditor and the New Orleans district attorney.

## **ACTING IN GOOD FAITH**

Anyone filing a complaint concerning an improper activity or suspected improper activity must be acting in good faith and have reasonable grounds for believing the information disclosed is accurate. 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 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.

### **Procedures:**

- The Whistleblower should promptly report the suspected or actual event to his/her supervisor.
- If the Whistleblower would be uncomfortable or otherwise reluctant to report to his/her supervisor, then the Whistleblower could report the event to the next highest or another level of management, including to an appropriate Board committee or member.
- The Whistleblower can report the event with his/her identity or anonymously.
- The Whistle blower shall receive no retaliation or retribution for a report that was provided in good faith – that was not done primarily with malice to damage another or the organization.
- A Whistleblower who makes a report that is not done in good faith is subject to discipline, including termination of the Board or employee relationship, or other legal means to protect the reputation of the organization and members of its Board and staff.
- Anyone who retaliates against the Whistleblower (who reported an event in good faith) will be subject to discipline, including termination of Board or employee status.

- Crimes against person or property, such as assault, rape, burglary, etc., should immediately be reported to local law enforcement personnel.
- Supervisors, managers and/or Board members who receive the reports must promptly act to investigate and/or resolve the issue.
- The Whistleblower shall receive a report within five business days of the initial report, regarding the investigation, disposition or resolution of the issue.
- If the investigation of a report, that was done in good faith and investigated by internal personnel, is not to the Whistleblower's satisfaction, then he/she has the right to report the event to the appropriate legal or investigative agency.
- The identity of the Whistleblower, if known, shall remain confidential to those persons directly involved in applying this policy, unless the issue requires investigation by law enforcement, in which case members of the organization are subject to subpoena.

By signing below, I acknowledge that I have reviewed and understand the contents of this policy and procedure.

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Signature

Printed Name

Date

**Louisiana Cancer Research Center**

**WHISTLEBLOWER REPORTING FORM**

The purpose of this form is to provide a mechanism to encourage reporting of any action or suspected action taken within LCRC that is illegal, fraudulent, and unethical or in violation of any adopted policy of LCRC in a safe environment. Anyone reporting a violation must act in good faith, without malice to LCRC or any individual, and have reasonable grounds for believing that a violation occurred. *(Any report that the complainant has made maliciously or any report that the complainant has good reason to believe is false will be viewed as a serious disciplinary offense.)*

**NO ONE WHO IN GOOD FAITH MAKES A REPORT OR COOPERATES IN THE INVESTIGATION OF A VIOLATION SHALL SUFFER HARASSMENT, RETALIATION, OR ADVERSE EMPLOYMENT CONSEQUENCES.**

➤ Is this the first time you are filing a report for the improper conduct?

\_\_\_\_\_ Yes

\_\_\_\_\_ No, please state the date(s) or approximate date(s) of your previous report(s).

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\_\_\_\_\_

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**Name of Person Filing Report\***

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\*You are not required to provide your name and may retain anonymity. If you choose to provide your name, it will remain confidential whenever possible. Providing your name may facilitate the investigation of the misconduct. Anyone filing an anonymous report will not be updated as to the progress of the investigation, but do understand that investigations are taken seriously and will be addressed. Making a complaint does not automatically shield you from consequences of your own involvement in unlawful or improper conduct. However, full and frank admissions may be considered in deciding disciplinary actions.

\_\_\_\_\_

Name

\_\_\_\_\_

Date

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**Name of Person(s) Subject to this Complaint**

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\_\_\_\_\_

Name

\_\_\_\_\_

Relation/Position\*\*

*\*\*If this person is not an employee of the Corporation, please list his or her position or relationship to the Corporation (e.g., Board Member, Volunteer).*

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### **Complaint Report**

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Please include as much detail as possible to enable a thorough investigation of the matter. Please go beyond the question prompts and the lines provided if necessary to adequately describe the matter.

What act occurred and how do you believe it was fraudulent, illegal, or inappropriate?  
*If applicable* - please describe the nature of any injury or damage sustained.

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When and where did the misconduct occur?  
(Please indicate if the actions were committed over a period of time)

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What do you believe enabled the act(s) to occur? E.g.: a lack of controls, circumvention of controls, or collusion with other individuals? Are you aware of any motives for the misconduct?

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Does the misconduct involve the participation of people external to the Corporation?

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Are there any witnesses that can confirm the misconduct?

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**EVIDENCE:** Please attach a copy or original of any supporting documents or other evidence in your possession, if any. **DO NOT ATTEMPT TO OBTAIN** more evidence. You are a reporting party and not an investigator of the misconduct.

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