

The American Institute of Architects Minnesota Whistleblower Policy (Adopted January 2014)

Purpose

The American Institute of Architects Minnesota (AIA Minnesota) is open and accountable to its members and employees. The AIA Minnesota Board of Directors expects all AIA Minnesota volunteers and employees to obey the law and act ethically. It also expects employees to report honestly to their supervisors. It requires that volunteers and employees contact management, legal counsel, or AIA Minnesota officers, as appropriate, about any activity that they think might violate law, policy, or ethical standards.

The American Institute of Architects

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This policy is intended to cover serious concerns that could affect the AIA and AIA Minnesota. These include actions that:

- could lead to inaccurate financial reporting;
- are unlawful, such as fraud, theft, embezzlement, or other illegal activities;
- are inconsistent with policies or procedures;
- otherwise amount to serious misconduct, such as unethical business conduct, other inappropriate conduct, or concerns about employee health risks that are caused by or are otherwise under the control of AIA Minnesota management.
- result in the destruction of documents in a manner inconsistent with the AIA Minnesota's records retention policy; or
- result in the inappropriate or illegal use of AIA Minnesota property (e.g., using AIA Minnesota property for personal gain).

The policy is intended to encourage and enable volunteers, employees, and others to raise serious concerns within AIA Minnesota before seeking action from outside sources.

Protecting Confidentiality

Every effort will be made to protect the Reporting Party's confidentiality, and AIA Minnesota will not tolerate harassment or retaliation of any sort against anybody submitting a report under this policy. While anonymous reports will be accepted, the Reporting Party is encouraged to identify themselves in order to strengthen the credibility of the report and to help the follow-up investigation. Malicious or knowingly false reports, however, may result in disciplinary action, up to and including termination of employment or service as a volunteer.

Reporting a Violation

The Reporting Party should follow these guidelines when reporting a violation under this policy:

- Where possible, if the Reporting Party is an employee, they should report the violation initially to the Executive Vice President (EVP). In most cases, the EVP should be in the best position to address an area of concern.
- If the Reporting Party is a volunteer, or if the Reporting Party is an employee who is not comfortable speaking with the EVP about a violation, the Reporting Party is encouraged to speak with the AIA Minnesota outside counsel (as of 1/1/2016 the contact is Emily Robertson at Rubric Legal, LLC, erobertson@rubriclegal.com or 612-465-0074).
- Except under extraordinary circumstances, the President and the Executive Vice President/CEO will be informed when a report is received. Other persons may also be notified on a need-to-know basis.

Reporting Violations Concerning Fraud or Financial Matters

If the violation that is being reported has to do with fraud or financial misconduct, the Reporting Party may follow the procedures shown above. In the alternative, the Reporting Party may contact the AIA Minnesota Treasurer.

Investigation and Report

The following guidelines apply to investigations:

- The EVP has specific and exclusive responsibility to investigate all reported violations. If the EVP finds it appropriate to recuse him/herself, he/she will retain impartial outside counsel or auditors to conduct the investigation.
- To the extent possible, the report will be acknowledged within five business days. The Reporting Party will also be informed about next steps and about when the Reporting Party may expect to hear more about the investigation of the reported allegations.
- The EVP will conduct a prompt investigation, while doing everything possible to keep the Reporting Party's identity and role confidential. (The Reporting Party should be aware, however, that legal requirements or other circumstances may make it impossible to fully protect confidentiality in some cases.) The Reporting Party will be notified within two weeks if a broader investigation appears to be needed.
- The Reporting Party is not expected to prove the truth of the allegations. The Reporting Party should, however, be prepared to be interviewed (unless the report is anonymous) and to submit whatever evidence is available to support the allegations.
- The EVP will submit a written report, which will include a summary of the allegations and his or her recommendations, to members of the Executive Committee, and/or to the Board of Directors, as appropriate. The Reporting Party will be informed about the results of the report.
- Where appropriate, corrective action will be taken. The action taken will depend on how serious the pertinent violation is and may include such things as a warning, a letter of reprimand, suspension with or without pay, or termination of employment. In the case of a volunteer, corrective action may include such things as limitations on the volunteer's opportunity to serve on AIA Minnesota committees, or the initiation of a complaint with the National Ethics Council, as appropriate.

Contacts of AIA Minnesota Officers

- If the process described above is not followed after the Reporting Party has submitted a report, the Reporting Party may contact the President of AIA Minnesota. If the Reporting Party is not comfortable contacting the President, the President-elect should be contacted.

For More Information

- If you have any questions, please contact the AIA Minnesota outside counsel, Emily Robertson at Rubric Legal, LLC, erobertson@rubriclegal.com or 612-465-0074).