

CABRINI OF WESTCHESTER
115 BROADWAY
DOBBS FERRY, NEW YORK 10522

Department: **Corporate Compliance**

Title: **Whistleblower Protection**

Policy:

Cabrini of Westchester (“Cabrini”) is committed to honest, ethical and lawful conduct through full, fair, accurate, timely and transparent disclosure in all public communications, and compliance with applicable laws, rules and regulations. In furtherance of these commitments, all trustees, officers, employees, staff, contractors, volunteers and members of the workforce (each, a “Covered Person”) must act in accordance with all applicable laws and regulations, and with the policies of Cabrini at all times, and assist in ensuring that Cabrini conducts its business and affairs accordingly. This is consistent with Cabrini’s Mission, which is to focus on elder-care and outreach to the community through compassionate and quality service with an emphasis on justice and respect for all.

This Whistleblower Policy (a) establishes procedures for the reporting and handling of concerns regarding action or suspected action taken by or within Cabrini that is or may be illegal, fraudulent or in violation of any internal policies, as well as any other matter that could cause serious damage to Cabrini’s reputation (each, a “concern”), and (b) prohibits retaliation against any Covered Person who reports a concern in good faith.

Purpose:

By appropriately responding to concerns, we can better support an environment where compliance is valued and ensure that Cabrini is meeting its ethical and legal obligations.

Procedure:

I. When to Raise a Concern

Covered Persons have an affirmative duty to disclose to and seek guidance from an appropriate supervisor or manager if he/she believes any Covered Person or other person associated or doing business with Cabrini has engaged, is engaging, or may engage in any illegal or unethical behavior or has violated, or may violate any law, rule, regulation or policy of Cabrini. Such reportable activity may include, for example, financial wrongdoing (including circumvention of internal controls or violation of the accounting policies of Cabrini), fraud, waste, abuse, harassment, or any other illegal, unethical, or proscribed conduct. While concerns may be submitted at any time, Covered Persons should endeavor to report a concern as soon as reasonably possible, but no later than 3 working days after becoming aware of the matter.

II. How to Raise a Concern

Concerns may be submitted either in writing or orally. No form is required to submit a concern, but as much information and detail as possible should be provided so that the concern can be properly investigated. A concern may be submitted:

- A) By discussing it with a supervisor or manager, who will in turn forward the concern to Department Head for review where appropriate;
- B) If the supervisor or manager is a subject of concern, it may be forwarded to the Department Head;
- C) If the Department Head is a subject of the concern, it will be forwarded to the CEO for review where appropriate; or
- D) Directly to the Corporate Compliance Officer.

Concerns may be raised anonymously. Anonymous concerns should be detailed to the greatest extent possible because follow up questions will not be possible, making the investigation and resolution of such complaints difficult. Any individual reporting his or her own violation shall not satisfy his or her obligation hereunder with a concern raised anonymously.

Reports may be made:

- Over the dedicated telephone at: (914) 999-5330, or within Cabrini at extension 735, or through the main telephone number (914) 693-6800, extension 735 or extension 573, or
- In person to the Compliance Officer or any member of the Corporate Compliance Committee listed as Attachment A of the Corporate Compliance Plan, or
- By email to scnhcompliance@cabrini-eldercare.org, or
- [By regular or in-house mail addressed to the Compliance Officer.](#)

All written reports should be labeled “**CONFIDENTIAL AND PRIVILEGED MATERIAL PREPARED FOR LEGAL COUNSEL.**”

III. Procedures for Receiving and Reviewing Concerns

Any supervisor, director, or other person receiving a concern must contact the Corporate Compliance Officer, who will coordinate further action.

The Corporate Compliance Officer will assess each concern on a preliminary basis to determine to what extent an investigation into the concern is required, and will direct all aspects of the investigation of any concern. All investigations will be conducted in a confidential and sensitive manner, so that information will be disclosed only as needed to facilitate review of the investigation materials or otherwise as required by law. Covered Persons must cooperate as necessary in connection with any such investigation. In the event a concern involves or implicates the Corporate Compliance Officer, the Corporate Compliance Officer will promptly recuse himself or herself from the investigation and inform the CEO in writing. The CEO may investigate such concern or appoint impartial attorneys or another trusted person to investigate the concern.

IV. Records of Concerns and Investigation Reports

The Corporate Compliance Officer will maintain a written record of all concerns summarizing in reasonable detail for each concern: the nature of the concern (including any

specific allegations made and the persons involved); the date of receipt of the concern; the current status of any investigation into the concern and information about such investigation (including the steps taken in the investigation, any factual findings, and the recommendations for corrective action); and any final resolution of the concern. The Audit Committee of the Board of Trustees shall be provided a report of all logged Compliance concerns. Such report shall include details of the concern and investigation, the findings and corrective actions if necessary.

V. Confidentiality

All concerns received will be treated confidentially or anonymously, as applicable, to the extent reasonable and practicable under the circumstances.

VI. No Retaliation Against Whistleblowers

It is Cabrini’s policy to encourage the communication of bona fide concerns relating to the lawful and ethical conduct of Cabrini’s business. It is also the policy of Cabrini to protect those who communicate bona fide concerns from any retaliation for such reporting. No adverse employment action may be taken, and retaliation is strictly prohibited, including, without limitation, intimidation, harassment, discrimination, coercion, or otherwise, whether express or implied, against any trustee, officer, employee, staff, contractor, or volunteer of Cabrini who, in good faith, reports any concern or assists in an investigation of, or the fashioning or implementation of any corrective action or response made in connection with, any concern. Any person who violates this prohibition against retaliation will be subject to appropriate disciplinary action, which may include termination of employment or other relationship with Cabrini.

REFERENCES

- 18 NYCRR 521-1
- §6032 of DRA of 2005
- 31 U.S.C. §3730(h)
- NYS Finance Law § 191
- NYS Civil Service Law § 75.b
- NYS Labor Law §740 and §741

Approved by: Patricia Krasnausky
Title: President & C.E.O.

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