



<b>POL Number:</b>	<b>POL-COR002</b>	<b>Version 1.0</b>
<b>Title:</b>	<b>Employee Protection (“Whistleblower”) Policy</b>	
<b>Board Approval:</b>	<b>Granted</b>	<b>Approval Date: 6/21/2010</b>

Cancer Institute of New Jersey Foundation (“CINJF”) Whistleblower Policy

**I. Introduction**

CINJF is committed to maintaining a workplace where employees are free to raise good faith concerns regarding CINJF's business practices, specifically:

- (1) reporting suspected violations of law on the part of CINJF, including but not limited to federal laws and regulations;
- (2) providing truthful information in connection with an inquiry or investigation by a court, agency, law enforcement, or other governmental body; and
- (3) identifying potential violations of CINJF policy, specifically the policies contained in CINJF's Board-approved Policies and Procedures
- (4) complying with state statutory requirements that provide appropriate protections for its employees who are whistleblowers. Therefore, CINJF establishes this “Whistleblower Policy” pursuant to New Jersey’s Conscientious Employee Protection Act (N.J.S.A. 34:19-1, et seq.)

**II. Purpose**

The purpose of the Whistleblower Policy is to define whistleblowing in the context of this policy, set forth the steps to be taken by employees making whistleblower complaints and delineate the steps that shall be taken by CINJF to protect employees engaged in whistleblowing, and to establish a procedure for making whistleblowing disclosures.

**III. Whistleblower Protection and Definition**

In accordance with New Jersey’s Conscientious Employee Protection Act, CINJF shall take no retaliatory action against an employee because the employee does any of the following:

- A. Discloses, or threatens to disclose to a supervisor, trustee or to a public body an activity, policy or practice of the employer, or another employer, with whom there is a business relationship, that the employee reasonably believes:
  - a. is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care; or

- b. is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law by the employer, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional,
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes:
  - a. is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
  - b. is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity; or 3. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

#### **IV. Procedures for Making Disclosures**

Except as otherwise provided for herein, an employee shall make a written disclosure to the Chair of the Audit Committee of the Board of Trustees.

- A. A written disclosure should include as much specific, factual information as possible to allow for proper assessment of the nature, extent, and urgency of the matter that is the subject of the disclosure.
- B.
- C. Reports of suspected violations of law or policy and reports of retaliation will be investigated promptly and in a manner intended to protect confidentiality, consistent with a full and fair investigation.
  - a. The Chairperson of the Audit Committee will charge the Chief Operating Officer, the Executive Director, or designate an external party to conduct the investigations.
  - b. The investigating parties will notify the concerned individuals of their findings directly, and prepare other reports as indicated by the circumstances.
  - c. A summary of all such reports will be presented to the full Audit Committee of the Board of Trustees. At the conclusion of the investigation, a report will be issued and appropriate action will be taken where the allegations are verified and/or otherwise substantiated.
  - d. In the event that a report of a suspected violation of law or policy or retaliation involves the Chief Operating Officer, the Executive Director or the Chairperson of

the Audit Committee then that official will not participate in the investigation and the two remaining officials or their designees will conduct the investigation.

**V. Written Notice Required Under Certain Circumstances**

The protection against retaliatory action shall not apply to an employee who makes a disclosure to CINJF’s Board of Trustees or any other public body unless the employee has first brought the matter to the attention of Chairperson of the Audit Committee and has afforded CINJF a reasonable opportunity to correct the matter. In an emergency situation, this requirement of written notice to a the designated CINJF official or agent shall be waived when the employee is reasonably certain that the matter is known to one or more supervisors at CINJF or when the employee reasonably fears physical harm as a result of the disclosure.

**VI. Distribution and Posting of Notices**

CINJF shall post this policy on its webpage. Further, CINJF shall also conspicuously display notices of its employees' protections, obligations, rights and procedures under this act, shall annually distribute written or electronic notices to all employees, and shall use other appropriate means to keep its employees informed of protection afforded under New Jersey to whistleblowers. The notices shall include the name of the person CINJF has designated to receive written notifications pursuant to this policy.

**VII. Employee Acknowledgement**

Each employee will receive a copy of this Policy and be provided the opportunity to ask questions about the Policy.

Each employee will then be asked to sign a copy of the Employee Protection (“Whistleblower”) Acknowledgement Form (Attachment A). The signed copy of the Employee Protection Acknowledgement Form will be maintained within each employee’s personnel file.

<b>Document History</b>			
<b>Version</b>	<b>Date - Revised Section</b>	<b>Change</b>	<b>Justification</b>
CINJF POL-COR002 Ver 1.0	6/21/2010 - N/A	New Policy	Establish policy

**Attachment A**

**Cancer Institute of New Jersey Foundation  
Employee Protection (“Whistleblower”) Acknowledgement Form  
POL-COR002**

**(1)**

I \_\_\_\_\_ have received a copy of the current Cancer Institute of New Jersey Foundation Employee Protection (“Whistleblower”) Policy (Ver 1.0).

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with an opportunity to ask questions.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date