

Whistleblower Policy

The Lands at Hillside Farms requires that its Employees observe the highest standards of business and personal ethics in the conduct of his or her duties and responsibilities, and to assist the Lands at Hillside Farms in meeting its legal compliance obligations. For purposes of this Policy, “Employees” means all volunteer Directors on the Lands at Hillside Farms Board of Directors as well as all officers, employees, independent contractors, and volunteers of the Lands at Hillside Farms. Each Employee must fulfill his or her responsibilities with honesty and integrity, and must comply with all applicable laws, rules, and regulations as well as the Lands’ internal policies and procedures.

To this end, this Whistleblower Policy (this “Policy”) describes the reporting process for Employees to raise concerns about actual or suspected Serious Misconduct (as defined below) and emphasizes that the Land at Hillside Farms does not tolerate retaliation against any Employee for reporting good faith concerns of Serious Misconduct.

Section 1. Scope: Employees are obliged to comply with all applicable laws and to assist Lands at Hillside Farms to ensure the organization’s legal compliance. Any Employee who suspects Serious Misconduct is required to report the concern in accordance with this Policy. However, whistleblower protection laws do not entitle employees to violate any of Lands at Hillside Farms’ confidential privileges (such as the attorney-client privilege) or improperly disclose other legally protected information, such as trade secrets. This policy is intended to supplement but not replace Lands at Hillside Farms’ Unlawful Harassment and Discrimination Policy and any applicable state and federal laws governing whistleblowing applicable to nonprofit and charitable organizations.

Section 2. Purpose: This Policy is intended to: (1) enhance Lands at Hillside Farms’ ability to honor its fiduciary obligations as a tax-exempt nonprofit corporation and steward of public resources; (2) support Lands at Hillside Farms’ compliance and risk management goals to meet the public trust; and (3) promote a culture of reporting among governance, staff, and volunteers without fear of retaliation.

This Policy also clearly defines the process for reporting all reasonably held, good faith concerns of Serious Misconduct (as defined in this section) to enable Lands at Hillside Farms to promptly investigate, address and remediate any inappropriate conduct, actions, or inactions.

For purposes of this Policy, “Serious Misconduct” includes, but is not limited to, actions that:

- violate Lands at Hillside Farms’ policies or the laws, rules and regulations that govern Lands at Hillside Farms’ operations; relate to accounting practices, internal controls, auditing or that may lead to incorrect financial reporting;
- are dishonest, fraudulent or constitute waste; or
- otherwise constitute illegal or unethical conduct

Section 3. Reporting Responsibility: It is the responsibility of each Employee to report suspected Serious Misconduct in a timely fashion in accordance with this Policy. Any Employee raising a concern of suspected Serious Misconduct by Lands at Hillside Farms or its agents must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of Lands at Hillside Farms’ policies or applicable laws, rules, and regulations. Any unsubstantiated allegations of Serious Misconduct made falsely or maliciously will generally result in disciplinary or legal action.

Section 4. No Retaliation: In full alignment with Lands at Hillside Farms' corporate values, no Employee who, in good faith, reports Serious Misconduct shall be subject to harassment, retaliation, or adverse employment consequences because of his/her good faith report. An Employee who retaliates against someone who has made a good faith report of Serious Misconduct under this Policy may be subject to discipline, up to and including termination of employment (for employees), dismissal from the Board of Directors, or termination of volunteer services.

Section 5. Reporting Violations: Lands at Hillside Farms has an open-door policy and encourages Employees to openly share questions, concerns, suggestions, and complaints with the appropriate individual, as described in this section. In most instances, an Employee's manager (in the case of employees and volunteers), the Executive Director or Director of Operations (in the case of independent contractors) and the Chair of the Executive Committee (in the case of the Board of Directors) are in the best position to address a concern of Serious Misconduct (each, the "primary contact"). However, if any Employee is not comfortable reporting the suspected Serious Misconduct to the primary contact or is not satisfied with the primary contact's response to the concern, Employees are encouraged to speak with any member of the leadership team with whom he or she is comfortable. Primary contacts are required to report concerns of suspected Serious Misconduct to the Chair of the Executive Committee within three business days. The primary contact shall also present the findings of any investigation into alleged Serious Misconduct and recommendations as to remediation, if appropriate, to the Executive Committee within five business days following the conclusion of the investigation.

The Executive Committee shall, in turn, make findings and recommendations to the Board of Directors. The Executive Committee has the authority to review the concern and findings and recommendations de novo, and to seek its own evidence.

Section 6. Accounting and Auditing Matters: Any allegations of Serious Misconduct involving corporate accounting practices, internal controls or auditing must be directed to the Chair of the Executive Committee by the primary contact. Upon receipt, the Chairperson of the Executive Committee must immediately notify the entire Executive Committee of any such complaint and work with the Executive Committee until the matter is resolved. All Serious Misconduct matters resolved by the Executive Committee must be presented to the Board of Directors for ratification of the resolution.

Section 7. Confidentiality: Lands at Hillside Farms encourages anyone reporting suspected Serious Misconduct to identify himself or herself in order to facilitate a prompt, full and fair investigation of the alleged Serious Misconduct. However, reports may be anonymously submitted on a confidential basis in accordance with Section 5. All allegations of Serious Misconduct will be kept confidential to the extent permitted by law, and consistent with the need to conduct a full and fair investigation and take any appropriate remedial action.

Section 8. Handling of Reported Violations: All reports will be promptly, fully, and fairly investigated, and appropriate corrective action will be taken if appropriate. Some concerns may be resolved by agreed action without the need for investigation. The person reporting the concern of Serious Misconduct will be notified of the conclusion of the investigation and what, if any, actions will be taken - to the extent reasonably possible and consistent with any privacy or confidentiality

limitations and applicable laws. If no further action or investigation is deemed necessary under the facts, the person reporting the concern of Serious Misconduct will be notified.

Section 9. Policy Violations: As a tax-exempt nonprofit corporation and fiscal steward of public funds, Lands at Hillside Farms actively promotes corporate integrity and accountability and takes the provisions of this Policy very seriously. A failure by any Employee to comply with this Policy may result in prompt disciplinary or adverse action, up to and including termination of employment, dismissal from the Boards or termination of volunteer services. Lands at Hillside Farms will not reimburse Employees for any fines or legal costs incurred by them or on their behalf.