

**Whistleblower Policy:
Protections and Procedures for Claims of Illegal or Unethical Behavior
*Board Amended and Approved 3/25/2014***

Purpose

To provide PCORI employees with workplace procedures for responding to and reporting instances of legal or unethical behavior, including fraud, waste, abuse, discrimination, harassment, retaliation, or non-compliance with the Institute's policies.

Policy

- (a) PCORI encourages employees to come forward with reports or concerns of legal or unethical behavior.
- (b) PCORI strictly prohibits retaliation against any person for reporting or making a claim, filing a claim, testifying in relation to a claim or assisting in an investigation of a claim related to instances of legal or unethical behavior at PCORI. All employees have an obligation to participate in good faith in any internal investigation of legal or unethical behavior.
- (c) PCORI prohibits employees from being retaliated against even if their complaints are proven unfounded by an investigation, unless the employee knowingly made a false allegation, provided false or misleading information in the course of an investigation, or otherwise acted in bad faith.
- (d) All claims will be investigated, including those made or expressed by an anonymous party. Employees are encouraged to identify themselves when making an allegation of any violation in order for appropriate follow-up and investigation procedures to take place.
- (e) Every effort will be made to protect a claimant's identity; however, investigation and/or resolution of a claim may not be possible without the source of the information being identified, and all employees are on notice of that fact when they submit such a claim.
- (f) This policy is not intended for, and may not be used for, personal or employment grievances, general compensation and benefits complaints, opinion on PCORI

policies, rules or standards, and so forth. Those types of grievances should be reporting in accordance with PCORI's *Grievance Procedure*.

Procedure

- (a) Employees should first discuss claims with their supervisor. If an employee is not comfortable speaking with a supervisor, or the supervisor is the subject of the claim, or the employee is not satisfied with the supervisor's response, the employee may notify the General Counsel, the Chief of Operations, or the Director of Human Resources and Administration in writing or verbally. Claims made known to a supervisor, the Chief of Operations, or the Director of Human Resources and Administration should be reported to the General Counsel
- (b) Persons reporting legal or unethical behavior should not attempt to investigate the matter independently, as doing so may compromise the integrity of an official investigation and adversely impact both the reporting person and PCORI.
- (c) The General Counsel or the General Counsel's designee is responsible for investigating all claims and, as appropriate, involving or reporting his or her findings to the Institute's Chief Operating Officer. The Chief Operating Officer will determine next steps in consultation with the General Counsel and, as needed, involve the Institute's Executive Director.
- (d) Subject to legal constraints, the claimant will receive information that the matter has been reviewed, and appropriate action taken. The Finance and Administration Committee should be notified of all claims.
- (e) Any individual who believes there has been a violation of this policy, any related policies or any applicable laws should immediately report their concerns to the General Counsel, Chief Operating Officer or Director of Human Resources and Administration.

Definitions

- (a) For the purpose of this policy, "whistle blowing" refers to a claim, statement or report made by an individual or group of individuals about activities that could harm the public's health or safety; involve financial accountability or mismanagement; violate ethical or professional standards; impinge on the rights or protections afforded the Institute's workers; constitute a clear violation of PCORI's policies and procedures; or involve a violation of applicable federal, state or local



laws.

- (b) For the purpose of this policy, “claim” refers to a written or verbal complaint, report, allegation or concern of instances of legal or unethical behavior, including fraud, waste, abuse, discrimination, harassment, retaliation, or non-compliance with the Institute’s policies.

- (c) For the purpose of this policy, retaliation includes the termination of employment, demotion, suspension, decreased compensation, intimidation, harassment, coercion, significant changes in job responsibilities or working conditions inconsistent with the employee’s position, salary or grade, or other forms of formal or informal reprimand or retaliation.

History:

Approved by PCORI Board of Governors 1/20/2011

Amended by PCORI Board of Governors 3/25/2014