

## American Institute of Constructors

### Constructor Certification Commission Policy and Procedures No. 5.12

#### Whistleblowing

Policy – The Constructor Certification Commission is responsible for the proper use of its resources and the public and private support that enables it to pursue its mission. The Commission is committed to conducting its affairs in accordance with applicable laws and regulations, its Operating Procedures and Policies and Procedures, and high ethical standards. In accordance with applicable laws, this policy confirms that any person who makes a “good faith” allegation about misconduct, including violations of law, regulations or Commission policies and procedures policies and procedures will not be subject to retaliation by the Commission or anyone within its control.

Responsibility – Constructor Certification Commission

Reference Commission Documents – None

Procedures – The following procedures will be followed in carrying the Commission’s Whistleblowing Policy.

1. Definitions of terminology pertinent to this policy are as follows:
  - a. Respondent means the person against whom an allegation of misconduct is directed or the person whose actions are the subject of inquiry.
  - b. Allegation means any written statement or oral report to the Commission or to other defined misconduct reporting mechanisms of possible misconduct, including violations of law, regulations or Commission policies and procedures.
  - c. Good faith allegation means an allegation made with the honest belief that misconduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for any willful ignorance of facts that would disapprove the allegation.
  - d. Complainant means any person who, in good faith, reports an allegation or provides information during an investigation into an allegation of misconduct.
  - e. Retaliation means any action that adversely affects the employment or other institutional status of an individual that is taken by an institution or an employee because the individual has in “good faith”, made an allegation of misconduct or has cooperated in good faith with an investigation of such allegation.
2. All employees, individuals or committees associated with the Commission have an obligation to report observed, suspected, or apparent misconduct to a member of the Commission who in turn is obligated to bring it to the Commission’s attention in a confidential manner.
3. Reports of allegations are to be made in writing so that there is a clear understanding of the issues raised. Reports may be made anonymously, but must include sufficient

corroborating evidence to justify initiating an investigation. Reports should focus on facts, and avoid speculations and drawing conclusions.

4. The Commission will undertake reasonable and practical efforts to protect the confidentiality of those persons who, in good faith, report an allegation of misconduct. Complainants should be advised that if the matter is referred to an investigation the Complainant's testimony is required, anonymity may no longer be guaranteed. The identity of the respondent shall be maintained in confidence subject to the same limitations as stated above.
5. A Complainant who makes an allegation that was not made in good faith, or knows or has reason to know that such allegation is false or materially inaccurate, shall be subject to disciplinary action, up to and including dismissal from the work of the Commission.
6. Copies of all documents and related correspondence, generated in complying with this policy will be placed by the Certification Manager in the respective individual's secured Commission file.

### **Revision History**

Last Revision: 07/23/2013