

Title: Whistleblower Protection	Number: N/A
Cross Reference: N/A	
Approved by: SD ENA Board of Directors	Origination Date: 12/2013
Revised by:	Approval Date: 12/2013
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I. POLICY PURPOSE:

To protect any member of the South Dakota Emergency Nurses Association (ENA) who reports an activity viewed as unlawful or unethical from retaliatory action. To ensure that the SD ENA is as compliant as possible to the Sarbanes-Oxley Act of 2002.

II. POLICY:

SD ENA will not take retaliatory action against or interfere with the lawful employment or livelihood of any member (1) reporting an activity suspected to be in a violation of state or federal law, questionable accounting practices, protected disclosure, or (2) who has refused to obey an illegal or unethical request.

III. STANDARDS/CRITERIA:

- Criminal whistleblower provisions of Sarbanes-Oxley Act of 2002 apply to not-for-profits.
- It is possible that criminal action could be brought against SD ENA for any form of retaliation against a member because he or she reports a suspected violation of federal law.

IV. OPERATIONAL PROCEDURE:

- A member with knowledge or concern relative to suspected illegal, dishonest, fraudulent and/or unethical activity is to communicate these concerns by contacting any member of the SD ENA state board. If this is not an option, the member should contact the National Board Liaison assigned to the state.
- The board member is to bring any report of illegal and dishonest activity to the President of the board or National Board Liaison assigned to the state who in turn will work with the appropriate National ENA leadership or legal counsel. It will then be determined who is responsible for investigating and notifying any additional authorities.
- Protected disclosures may be submitted on a confidential basis. Reports of violations or suspected violation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and pursue necessary legal or disciplinary action.
- A member reporting suspected illegal or unethical activity is to exercise sound judgment to avoid baseless allegations.

- The whistleblower is protected from retaliation based on reporting activity in accordance with this policy and procedure.
- The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.