



THE TEP FOUNDATION,

The TEP Foundation Whistleblower Policy

Introduction

The TEP Foundation, Inc. encourages its Board of Trustees to report improper activities in the organization and will protect individual Trustees from retaliation for making any such report in good faith.

1. Trustee Rights

Trustees have the right to report, without suffering retaliation, any activity by The TEP Foundation, Inc., or any actions by Executive Officers that a Trustee reasonably believes:

- I) Violates any State or Federal law; or
- II) Violates or amounts to noncompliance with a State or Federal Rule or Regulation; or
- III) Violates fiduciary responsibilities by a nonprofit corporation.

In addition, Trustees can refuse to participate in an activity that would result in a violation of State or Federal Statutes, or a violation or noncompliance with a State or Federal Rule or Regulation. Trustees are also protected from retaliation for having exercised any of these rights in any former volunteer capacities or within other Non-for-Profit organizations. The whistleblower protection laws do not entitle Trustees to violate a confidential privilege of The TEP Foundation, Inc. (such as the attorney-client privilege) or improperly disclosing protected trade-secrets or other private information as set forth in The TEP Foundation, Inc.'s *Confidentiality Agreement*.

2. Where to Report

Trustees have the duty to comply with all applicable laws and to assist The TEP Foundation, Inc. to ensure legal compliance. A Trustee who suspects a problem with legal compliance is required to report the situation(s) to the President of The TEP Foundation, Inc.. If the complaint involves the President, a Trustee is required to report the situation(s) to the Vice President. In the event neither the President or Vice President are deemed appropriate persons a Trustee is required to report situation(s) to the next duly-acting Officer deemed appropriate or to the Board of Trustees as a whole. Trustees may

also report information regarding possible unlawful activity to an appropriate Governmental or Law Enforcement Agency.

3. Protection from Retaliation

It is the intent of this policy to encourage Trustees to report fraudulent or illegal activities and there shall be no retaliation for any reports made pursuant to this policy. Any Trustee who believes they have been retaliated against for whistle blowing may file a complaint with the President of The TEP Foundation, Inc. Any complaint of retaliation will be promptly investigated and remedial action taken when warranted. This protection from retaliation is not intended to prohibit the Board of Trustees from taking action, including disciplinary action, in the ordinary course of business based on valid performance-related or other factors deemed inappropriate.

Trustees will be trained on this policy and The TEP Foundation, Inc.'s prohibition against retaliation in accordance with enacted policy.

For more information please send an email to president@thetepfoundation.org