

WHISTLEBLOWER PROTECTION POLICY FOR THE MICHIGAN EDUCATION ASSOCIATION

Definitions

"Misconduct" means an action taken by an MEA official in carrying out his or her responsibilities that is in violation of law.

"MEA officers" means the Michigan Education Association (MEA) President, Vice-President, and Secretary-Treasurer.

"MEA official" means an MEA officer, a member of the MEA Executive Committee, a member of the MEA Board of Directors, a member of an MEA commission or committee, an MEA employee, and any other person designated by MEA to represent the MEA. MEA official does not mean a consultant retained by MEA.

"Person" means an MEA member, an employee of MEA or any of its affiliates, a consultant or vendor who does or seeks to do business with MEA or any of its affiliates, and any other representative of MEA or any of its affiliates.

"Policy" means the Whistleblower Protection Policy.

"Whistleblower" means any person who notifies the MEA Executive Director of an action by an MEA official that the person has reasonable cause to believe constitutes misconduct.

Implementation of the Whistleblower Protection Policy

The MEA Executive Director shall be responsible for: (1) the implementation of the Policy; (2) for notifying staff unions, employees, and others who conduct business with MEA of the existence of the Policy, including ensuring that the Policy appears on the web site of MEA; and (3) providing periodic reports to the MEA Board of Directors regarding implementation of the Policy.

The MEA Board of Directors shall be responsible for such modifications in the Policy as it may from time to time deem appropriate.

Reporting alleged misconduct.

Any person who has reasonable cause to believe that an MEA official has engaged or is about to engage in misconduct may report this information to the MEA Executive Director. The Whistleblower shall identify himself or herself in the notice to the MEA Executive Director, but the MEA Executive Director shall, if requested by the Whistleblower, treat the notice as anonymous and shall not reveal the Whistleblower's name, except when required by law or upon a finding

that the complaint was false and not made in good faith. If the MEA Executive Director is the MEA official alleged to have engaged or is about to engage in misconduct, the complaint shall be filed with an MEA officer and that officer shall then be responsible for fulfilling the obligations of the MEA Executive Director set forth below.

Investigating the allegations

If the MEA Executive Director has reasonable cause to believe that an MEA official has engaged or is about to engage in misconduct, based upon information supplied by the Whistleblower and any other relevant information, the MEA Executive Director shall turn the matter over to the MEA General Counsel for investigation. If the MEA General Counsel is alleged to have engaged or is about to engage in misconduct, then the MEA Executive Director shall turn the matter over to one of the Directors of Human Resources for investigation. That Director of Human Resources shall then be responsible for fulfilling the obligations of the MEA General Counsel set forth below.

The General Counsel or his or her designee shall conduct an expeditious investigation of the alleged misconduct and shall submit to the MEA Executive Director a written opinion including specific findings on the allegations made by the Whistleblower, conclusions as to whether the MEA official has engaged or is about to engage in misconduct, and, if appropriate, what actions should be taken to correct the situation.

The MEA Executive Director shall review the report and make his or her own determination of whether misconduct has occurred or is about to occur and, if so, what action should be taken to correct the situation. If the MEA Executive Director determines that misconduct has been or is about to be engaged in by an MEA employee, then the MEA Executive Director shall take such action as he or she deems prudent to correct the situation and discipline the employee. If the MEA Executive Director determines that misconduct has been or is about to be engaged in by an MEA official other than an employee, then the MEA Executive Director shall submit the report, along with his or her recommendations, to the MEA Executive Committee. If action needs to be taken before the MEA Executive Committee can meet, then the MEA Executive Director shall request such action from the MEA officers. Thereafter, the MEA Executive Committee shall be provided with the report and recommendations, along with a report on any action taken by the MEA officers.

If the MEA Executive Director concludes that any person has made a false allegation of misconduct in bad faith or has participated in the investigation in bad faith, the MEA Executive Director shall report that information to the MEA Executive Committee.

Upon receiving the report, the MEA Executive Committee shall decide upon the appropriate action to be taken.

Non-retaliation for whistleblowing or participating in the investigation

Except as otherwise provided above, no person shall be subject to any form of retaliation by an MEA official because he or she (1) is a whistleblower, or (2) has participated in an investigation under this Policy.

If any person believes that he or she has been subject to retaliation under this Policy, that person shall report same to the MEA Executive Director. If the person believes he or she has been subject to retaliation by the MEA Executive Director, then the person shall report same to an MEA officer who shall then be responsible for fulfilling the obligations of the MEA Executive Director set forth below.

The MEA Executive Director or his or her designee shall investigate the matter and, if the MEA Executive Director concludes that an MEA employee has engaged in retaliation, then the MEA Executive Director shall take appropriate action. If the MEA Executive Director concludes that an MEA official has engaged in retaliation, the MEA Executive Director shall report his or her findings, along with suggested action, to the MEA Executive Committee. The MEA Executive Committee shall decide upon the appropriate action to be taken.

The Policy does not supersede other rights

Nothing in this Policy shall deprive any person of any right that he or she may have pursuant to MEA governing documents, a contract with MEA, or a statute. To the extent that this Policy is inconsistent with any such right, the MEA governing documents, the contract with MEA, or the statute shall take precedence.

Exhaustion of Policy

Any person who believes that an MEA official has engaged or is about to engage in misconduct is encouraged to exhaust the Policy before attempting to deal with the matter in any other forum.

Confidentiality of information

All information and documents involved in the implementation of the Policy shall be treated as confidential, and the MEA Executive Director shall make such information and documents available to others only on an "as needed" basis. All privileges, including the attorney-client and attorney work product privileges, shall apply to information and documents involved in the implementation of the Policy.

Effective date and amendment

The Policy shall become effective on the date that it is adopted by the MEA Board of Directors.

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