

**KAUAI ISLAND UTILITY COOPERATIVE  
BOARD POLICY NO. 19  
(Revised 01/30/2020)**

**ANTI-RETALIATION AND WHISTLEBLOWING**

**PURPOSE OF POLICY:**

The purpose of this policy is to confirm Kaua'i Island Utility Cooperative's commitment to a work and learning environment free of retaliation.

**POLICY CONTENT:**

A. **General.** It is the policy of Kaua'i Island Utility Cooperative ("KIUC") to ensure that individuals who in good faith believe there is or may be an improper activity occurring at KIUC (a "Whistle Blower") may report such improper activity, cooperate with authorities, and take legal action without the fear of retaliation.

B. **Scope and Terms.**

1. KIUC strictly prohibits any Director, employee or agent of KIUC from engaging in any form of intimidating, detrimental (i.e. negative or uncooperative) or retaliatory action toward any Whistle Blower (including but not limited to a KIUC employee or KIUC member) who reports in good faith an improper activity or who at any time:

- a. provides information about such improper activity to KIUC's General Counsel, a KIUC Director, Department Head or Human Resources;
- b. makes a complaint of discrimination or harassment or a threat of and/or an act of violence (a "Complaint");
- c. cooperates with the investigation of a Complaint;
- d. acts as a witness or investigator during the investigation of a Complaint;

- e. reports or is about to report to an appropriate government body, orally or in writing, a violation or a suspected violation of a law or rule adopted pursuant to the law of Hawai'i, a political subdivision of Hawaii or the government of the United States, unless such person knows the report is false (a "Violation");
- f. is requested by the government body to participate in an investigation, hearing, or inquiry held by that government body, or a court action, concerning a Violation.

2. Any Complaint brought in good faith to the attention of KIUC will be investigated promptly and, if required, corrective actions will be taken promptly. Confidentiality will be maintained throughout the investigatory process to the extent consistent with an adequate investigation, however, complete confidentiality and anonymity should not be expected during investigations.

3. Any person who engages in any form of intimidating, detrimental or retaliatory conduct shall be subject to appropriate disciplinary action, including termination of employment with respect to Staff.

4. Any KIUC Director, staff or agent having knowledge of a violation of the policy set out in item 1 above, or any other form of improper retaliation, shall immediately report the violation or retaliation to KIUC's General Counsel who shall report same to other necessary parties as required by law or court order. Retaliation for such reports of retaliation is likewise prohibited.

5. Based on the nature and circumstances of the reported alleged intimidating, detrimental or retaliatory actions, the General Counsel will perform an independent investigation as warranted or report the violations for investigation and appropriate actions as follows:

- a. to the Manager of Human Resources, for all employees below the Department Head level;
- b. to the CEO for Department Heads; and
- c. to the Board of Directors for the CEO

6. The KIUC's General Counsel shall investigate any reports of alleged intimidating, detrimental or retaliatory actions and submit the results of any investigation to the KIUC Finance and Audit Committee, which shall submit a recommendation to the Board of Directors.

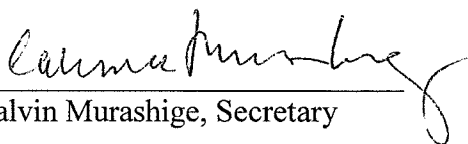
7. The Board of Directors does not delegate the authority to act on any form of intimidating, detrimental or retaliatory actions by or concerning the CEO.

8. The CEO shall report on actions associated with this policy to the Board of Directors on an as-needed basis.

**RESPONSIBILITIES:**

The CEO is delegated responsibility and authority for the administration and implementation of this policy.

Adopted on this 30<sup>th</sup> day of January, 2020.

  
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Calvin Murashige, Secretary

Reviewed: 01/30/2020  
Reviewed: 01/30/2018  
Reviewed: 02/23/2016  
Revised: 03/18/2014  
Reviewed: 07/26/2011  
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