

## **AATG Investigating Fraud and Malfeasance Policy—October 2021**

This policy applies to any irregularity involving employees or members of the Board of Directors as well as grantees, consultants, vendors, contractors or any other parties with a business relationship with the AATG. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position, title or relationship to the AATG.

The Executive Director and the Board of Directors are responsible for the detection and prevention of fraud, misappropriation and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Fraud includes, but is not limited to, the following:

- Self-dealing, private inurement and private benefit (i.e., association assets being used for personal gain or benefit).
- Supplying false or misleading information about the association's financial documents, including the tax return.
- Providing false information to or withholding material information from the association's auditors.
- Payment for services or goods that are not rendered or delivered.

An employee who discovers or suspects fraudulent activity should immediately contact, as he or she deems appropriate, any member of the Steering Committee of the Board of Directors. The President and/or the Executive Director will coordinate all investigations with legal counsel, while keeping the full Steering Committee informed. If the reported allegations are made against the President and/or the Executive Director, the investigation will be handled by any other member of the Steering Committee and outside legal counsel. Any member of the Steering Committee included in the complaint will be excused from deliberations. The employee or other complainant, to the extent practicable, will remain anonymous by making a report through any of the above individuals. Any identification about the sender will be removed unless necessary for the investigation. The Steering Committee, to the extent practicable, will treat all information received confidentially. Further, the Steering Committee will acknowledge receipt of any complaint within five business days, providing notification to the employee or other complainant of the steps involved for the review, investigation and resolution of the complaint.

Members of the Steering Committee will have free and unrestricted access to all association records and premises for purposes of investigations. The Steering Committee has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Steering Committee will issue reports to appropriate personnel and, if appropriate, to the Board of Directors through the Finance Committee. Decisions to prosecute or refer the examination results to the appropriate law enforcement or regulatory agencies for independent investigation will be made in conjunction with legal counsel and the Steering Committee, as will final decisions on disposition of the case. If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the Executive Director and/or the Board of Directors, and if it is determined appropriate, by outside counsel, before any such action is taken.

Investigation results will not be disclosed to or discussed with anyone other than those who have a need to know. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Steering Committee. No information concerning the status of an investigation will be given out.

The Steering Committee is responsible for the administration, interpretation and application of this policy. Any revisions to the policy will be submitted to the Board of Directors for approval.