



# **MARBLEHEAD YACHT CLUB, INC. ("MYC")**

## **Policy on Speaking Up About Dangerous, Illegal or Unethical Conduct**

### **PURPOSE:**

To promote safety and accountability in regard to speaking up with concerns about dangerous, illegal or unethical conduct at MYC.

### **POLICY:**

Each of us at MYC -- Board Directors, Flag Officers, employees, volunteers and third parties associated with MYC (collectively, "MYC Colleagues") -- has a duty to speak up to someone in a position to address the concern if we see something that appears dangerous, illegal or unethical. **MYC will not tolerate retaliation in any form against someone who raises a concern in good faith.**

Individuals are encouraged to seek guidance as early as possible from applicable MYC policies and procedures and the Code of Conduct or to contact the Club Manager or, in the case of the Club Manager or a Board member, contact the Commodore or Vice Commodore.

Concerns may be raised orally or in writing (including by email) and should be communicated in sufficient detail to make it possible to evaluate and address them.

A person with a concern about the behavior of someone else at MYC is encouraged to raise it directly with that other person. This gives the other person the benefit of the doubt and may reveal information that removes the concern.

If communicating directly with the individual whose behavior is at issue does not bring the matter to a satisfactory resolution or does not seem appropriate, the person with the concern must raise it with someone else in a position to help address the issue including the Club Manager or MYC Board member.

A person with any concern can also anonymously submit a written summary of the concern in a sealed envelope addressed to the "MYC Commodore" or "Club Manager" and marked "STRICTLY CONFIDENTIAL -- TO BE OPENED ONLY BY THE ADDRESSEE".

Some examples of concerns that must be raised include (in no particular order):

- Any action or situation that might cause physical or psychological harm to an individual;
- Intentional opening of a document reasonably identifiable as confidential, without authorization;
- Stealing or waste of MYC resources;
- Abuse of authority or influence;
- Failure to follow MYC policies or procedures or the Code of Conduct;
- Retaliation against someone who has raised a concern in good faith;
- Dishonesty;
- Discrimination or harassment; and
- Conflicts of interest.

A person speaking up with a concern must do so in good faith and have reasonable grounds for believing that the information the person is relaying is true. Making allegations maliciously or with knowledge that they are false will result in discipline up to and including termination of association with MYC.

To repeat: MYC will not tolerate retaliation of any kind – not even in the form of a cold shoulder - against a person who reports a concern in good faith. Retaliation will result in discipline up to and including termination of association with MYC. Anyone who believes that retaliation has occurred must speak immediately to one or more of the individuals listed in paragraph D above.

Anyone to whom a concern is raised shall either investigate it or raise it with a more appropriate person at MYC. Those investigating must do so fully and promptly,

determine all relevant facts and take appropriate action. All such steps shall be documented in an MYC incident reporting system. Feedback must be provided, if possible, to the person who originally raised the concern.

A concern may also be raised directly to an agency that licenses or regulates MYC. Nothing in this Policy is intended to prevent or discourage someone from reporting information to an appropriate agency when the person has reasonable cause to believe that a violation of a federal, state or local law or regulation has occurred.

Persons speaking up with good faith concerns are also protected by laws known as "Whistleblower" statutes. Some of these laws may allow individuals to file "qui tam" actions and collect a portion of any fine that results.

At least the following methods will be utilized to ensure that all members of the MYC community are periodically reminded of this Policy and the need to come forward with good faith concerns:

- A copy of this Policy will be available to all new MYC Colleagues on the MYC Website or upon request;
- All MYC Board Directors and the Club Manager will be required to sign an annual acknowledgement of their awareness of the Policy, the Conflict of Interest Policy and the Code of Conduct.

This Policy is valid for one year beginning on [enter date]: \_\_\_\_\_

Commodore \_\_\_\_\_

Vice Commodore \_\_\_\_\_

Rear Commodore \_\_\_\_\_

Treasurer \_\_\_\_\_

Secretary \_\_\_\_\_

Club Manager \_\_\_\_\_

Board Member \_\_\_\_\_

Board Member \_\_\_\_\_

Board Member \_\_\_\_\_

Board Member \_\_\_\_\_

***Adopted by the Board of Directors on: 4/21/2020  
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