

DISCIPLINARY ACTIONS FOR ENFORCEMENT OF COMPLIANCE STANDARDS

Purpose

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ILA is committed to conducting its business ethically and in conformance with all federal and state laws, regulations, and interpretations thereof, and the Agency's Code of Conduct. To support this commitment, ILA has developed procedures for disciplinary actions to be taken for violations of the Corporate Compliance Program and/or Code of Conduct by employees and/or independent contractors.

Policy

Employees and independent contractors who, upon investigation, are found to have committed violations of applicable laws and regulations, the Corporate Compliance Program, the Code of Conduct, or the Agency's policies and procedures will be subject to appropriate disciplinary action, up to and including termination of employment or contract.

The following actions may result in disciplinary action:

Authorization of or participation in actions that violate the law, regulations and Corporate Compliance Program, including the Code of Conduct, and all related policies and procedures;

1. Failure to report a violation by a peer or subordinate;
2. Failure to cooperate in an investigation;
3. Retaliation against an individual for reporting a possible violation or participating in an investigation;
4. Failure to act as an honest, reliable and trustworthy service provider; and any other infraction.

Discipline will be appropriately documented in the disciplined employee's personnel file (or in the independent contractor's file), along with a written statement of reason(s) for imposing such discipline. Such documentation will be considered during regular and promotional evaluations.

The Compliance Officer and Director of Human Resources will be responsible for assuring that disciplinary actions related to non-compliance with the law, regulations and Corporate Compliance Program, including the Code of Conduct, are consistent with actions taken in similar instances of non-compliance.

Procedures: The Corporate Compliance Officer, or designee, shall investigate all complaints of non-compliance. Based upon the results of audits and investigations, for any uncovered infraction, progressive discipline will be implemented as decided by the ILA Director of Operations, based upon input from the Corporate Compliance Officer and/or other Agency administrative personnel, which will be reported to the Corporate Compliance Committee and the Board of Directors.

The Agency shall apply progressive discipline consistent with the violation and consistent with other disciplinary actions for similar infractions. Examples of the disciplinary action that may be taken in accordance with the nature and scope of the infraction include but are not limited to: (a) verbal counseling or warning; (b) counseling with written warning; (c) retraining; (d) reassignment or demotion; (e) suspension without pay; and (f) termination of employment, or in the case of an independent contractor, termination of the agreement/contract.

To the extent possible, disciplinary action will be taken in accordance with the Agency's Human Resource Manual.

When the determination is made that a compliance violation has occurred, the Compliance Officer will notify the Director of Operations, and the individual's supervisor, or for independent contractors, the contractor's representative. The Compliance Officer will notify the Compliance Committee before the next regularly scheduled meeting when a full report of compliance-related disciplinary actions would normally be presented. The Executive Director will notify the Board of Directors of the violation.

The Compliance Officer and Director of Human Resources shall work in collaboration with the appropriate supervisor/manager in determining disciplinary action related to an instance of non-compliance. The Compliance Officer shall have the discretion to recommend a disciplinary process or disciplinary action other than the normal disciplinary procedures and actions, as deemed necessary.

The Compliance Officer and/or Director of Human Resources shall consult with the Director of Operations, legal counsel, as necessary to determine the appropriate disciplinary action to be taken.

The Director of Human Resources is responsible for assuring that disciplinary action(s) taken as a result of the violation(s) of ILA's Code of Conduct and/or Corporate Compliance Program is maintained in the staff member's personnel file, and considered during the evaluation process..

The Compliance Officer will maintain a written record of all disciplinary actions of infractions including verbal warnings, and will reference these records when necessary to ensure consistency in the application of disciplinary measures and to determine trends of infraction, if any, to assess future risk. The record of all infractions will be reported regularly to the Corporate Compliance Committee and not less than annually to the Board of Directors.