

NEW YORK STATE ASSOCIATION OF REALTORS, Inc.
WHISTLEBLOWER POLICY

The New York State Association of REALTORS, Inc. or any of its affiliated entities ¹(collectively, “NYSAR”) strives to maintain high standards of conduct and ethics among its employees, officers and members. All officers, board members, committee members, and staff are encouraged to report fraudulent or dishonest conduct (i.e., to act as a “whistleblower”) pursuant to those procedures set forth in the next section. This policy shall be distributed to all directors, officers, employees and volunteers.

How to Report Fraudulent, Dishonest or Illegal Actions

Board or committee members should report any reasonable concern about fraudulent, illegal or dishonest use or misuse of NYSAR resources or property to the President of the Association. Employees should report concerns directly to the CEO, Vice President of Finance Administration or the General Counsel.

Reports should be thorough and contain enough information to substantiate the concern and allow an appropriate investigation to begin. Reports may be submitted anonymously. Appropriate action will be taken by NYSAR in response to reports. All reports received will be acted upon in confidence when possible given legal requirements and the need to gather facts, conduct an effective investigation, and take necessary corrective action. All complaints, regardless of the outcome, will be reported to the Board of Directors or an authorized committee thereof pursuant to NYS Not for Profit Law §715-b(b)(2).

Reasonable care will be taken in dealing with suspected misconduct to avoid baseless allegations, premature notice to persons suspected of misconduct, disclosure of suspected misconduct to persons not involved with the investigation and violations of a person’s rights under the law.

Whistleblower Protection

NYSAR will use its best efforts to protect whistleblowers against retaliation. Whistleblower complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Whistleblowers who believe that they have been retaliated against for reporting an activity, which that person believes to be fraudulent, dishonest or illegal, may file a written complaint about such retaliation with the CEO, Vice President of Finance Administration or the Director of Legal Services. Any complaint of retaliation, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or reduced salary or wages, will be promptly investigated and corrective action taken, where allegations are substantiated. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties based on valid performance-related factors, nor is it intended to preclude disciplinary action against individuals who report baseless allegations.

¹ For purposes of this Conflict of Interest Policy, “NYSAR” shall be deemed to include any and all entities affiliated with the New York State Association of REALTORS, Inc. including, but not limited to the NYSAR Real Estate Services, Inc.

The person who is the subject of a whistleblower complaint need not be present at or participate in board or committee deliberations or vote on the matter relating to such complaint, provided that nothing in this policy shall prohibit the board or committee from requesting that the person who is subject to the complaint present information as background or answer questions at a committee or board meeting prior to the commencement of deliberations or voting relating thereto.