

COLD SPRING HARBOR LABORATORY
WHISTLEBLOWER POLICY

Amended and Restated: March 7, 2019
[Amended: May 15, 2019]

1.0 PURPOSE

To outline reporting procedures and protections available to trustees, officers, employees, students and volunteers who, in good faith, seek to or actually report activities or suspected activities that are reasonably believed to be illegal, fraudulent, dishonest or in violation of policies. This policy is not a general grievance procedure, and employment-related concerns should be reported and resolved in accordance with the personnel policies set forth on Cold Spring Harbor Laboratory's Human Resources webpage (<http://intranet.cshl.edu/administration/human-resources/cshl-policy-abstract>).

2.0 SCOPE

This policy applies to all trustees, officers, employees, students and volunteers of Cold Spring Harbor Laboratory (the "Laboratory").

3.1 POLICY

3.2 Definition. A whistleblower as defined by this policy is a trustee, officer, employee, student or volunteer of the Laboratory who in good faith reports an activity or suspected activity that is reasonably believed to be illegal, fraudulent, dishonest or in violation of an adopted policy of the Laboratory, to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal, fraudulent or dishonest activities, or activities in violation of the Laboratory's adopted policies, include but are not limited to violations of federal, state or local laws; billing or assisting in billing the Laboratory for services not performed or for goods not delivered; misuse or misappropriation of grant or other Laboratory funds; and other fraudulent financial reporting.

3.3 Reporting. If a trustee, officer, employee, student or volunteer of the Laboratory has knowledge of or suspects illegal, fraudulent or dishonest activity, or activity that violates any of the Laboratory's adopted policies, he/she should contact his/her immediate supervisor, the Chief Operating Officer, the General Counsel of the Laboratory, or the Chair of the Laboratory's Audit & Risk Committee (AuditChair@cschl.edu), or make an anonymous report to the Whistleblower Hotline (1-844-390-9805 or www.cshl.ethicspoint.com). The trustee, officer,

employee, student or volunteer must exercise sound judgment to avoid baseless allegations.

The Laboratory encourages anyone making a report to provide his or her identity when making the report in order to facilitate an investigation. However, anonymous reports may be made to the Whistleblower Hotline.

- 3.4 Protections.** Wherever possible, the confidentiality of the whistleblower will be maintained. However, the identity of the whistleblower may have to be disclosed to conduct a thorough investigation, to comply with the law or to provide accused individuals an opportunity to defend themselves. The Laboratory strictly prohibits intimidation, harassment, discrimination, retaliation or adverse employment consequences against anyone who in good faith makes a report pursuant to this policy or who participates in the investigation of a complaint pursuant to this policy. Any whistleblower who believes that he/she is being retaliated against should immediately contact and report such retaliation to his/her immediate supervisor, the Chief Operating Officer or the General Counsel of the Laboratory. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

The Chief Operating Officer and the General Counsel will promptly investigate all reports of illegal, fraudulent or dishonest activities or activities in violation of an adopted policy of the Laboratory.

- 3.5 Administration.** The Chief Operating Officer and the General Counsel will administer this policy and report to the Board or an authorized committee thereof. A person who is the subject of a whistleblower report will not be present at or participate in any Board or committee deliberations or voting related to such report, provided that the Board or committee may request that the person present information as background or answer questions prior to the commencement of deliberations or voting. Trustees who are employees of the Laboratory will not participate in any Board or committee deliberations or voting relating to administration of this policy.

4.0 DISTRIBUTION

A copy of this policy will be distributed to all trustees, officers, employees and students of the Laboratory and to all volunteers who provide substantial services to the Laboratory. Distribution for these purposes may include posting this policy on the Laboratory's website or at the Laboratory's office in a conspicuous location accessible to employees and volunteers.

5.0 RECORDS

All records relating to any reported concern and to the investigation and resolution thereof will be retained on a strictly confidential basis for a period of seven years (or otherwise as

required under the Laboratory's record retention policies in effect from time to time). All such records are confidential to the Laboratory and such records will be considered privileged and confidential.

Like all other policies of the Laboratory, this policy is not to be considered an employment contract or guarantee of any kind. The Laboratory reserves the right to interpret, revise, supplement or rescind policies as it deems appropriate.