



Minnesota FAIR Plan

Whistleblowing/Complaint Procedures for Accounting and Auditing Matters

The MN FAIR Plan (the “**Plan**”), is committed to preparing and implementing fair, accurate and complete financial policies, reports and materials, as well as maintaining the internal controls essential to support its financial and accounting systems. Accordingly, the Plan’s Financial Audit and Benefit Plans Committee has established the Whistleblowing/Complaint Procedures for the receipt, retention and treatment of complaints received by the Plan regarding accounting, internal accounting controls or auditing matters, and for the confidential, anonymous submission of employees of concerns regarding questionable accounting or auditing matters.

A. Scope of Matters Covered by These Procedures

These procedures relate to complaints or concerns (“**Complaints**”) relating to any accounting, internal controls or auditing matters (“**Accounting Matters**”), including, without limitation, the following:

- fraud or deliberate error in the preparation, evaluation, review or audit of any financial statement of the Plan;
- fraud or deliberate error in the recording and maintaining of financial records of the Plan;
- deficiencies in or noncompliance with the Plan’s internal controls;
- misrepresentation or false statement to or by a senior officer or accountant regarding a matter contained in the financial records, financial reports or audit reports of the Plan; or deviation from full and fair reporting of the Plan’s financial condition.

B. Submission and Receipt of Complaints

1. In general a person with a Complaint should promptly report the Complaint in writing to the Chair of the Plan’s Financial Audit and Benefit Plans Committee. Complaints may also, however, be submitted telephonically or in person. Electronic submissions may be emailed to the current Chair thom.petersen@mnfairplan.org or any other member of the Plan’s Financial Audit and Benefit Plans Committee with the subject line: Complaint. The Chair of the Plan’s Financial Audit and Benefit Plans Committee will maintain the confidentiality and anonymity of persons making Complaints to the fullest extent reasonably practicable within the legitimate needs of law and any ensuing evaluation or investigation.

2. Anonymous Complaints. Persons with Complaints, rather than submitting such Complaints electronically, as indicated above, may submit Complaints on a confidential or anonymous basis via U.S. mail as follows:

MN FAIR Plan
1201 Marquette Avenue
Suite 310
Minneapolis, MN 55403
Attention: Chair of the Plan’s Financial Audit and Benefit Plans Committee
Complaint

The Chair of the Plan’s Financial Audit and Benefit Plans Committee will maintain the confidentiality and anonymity of persons making Complaints to the fullest extent reasonably practicable within the legitimate needs of law and any ensuing evaluation or investigation.

C. Content of Complaints

To assist the Plan in the response to or investigation of a Complaint, the Complaint should contain as much specific, factual information as possible to allow for proper assessment of the nature, extent and urgency of the matter that is the subject of the Complaint, including, without limitation and to the extent possible, the following information:

- the alleged event, matter or issue that is the subject of the Complaint;
- the name of each person involved;
- if the Complaint involves a specific event or events, the approximate date and location of each event; and
- any additional information, documentation or other evidence available to support the Complaint.

D. Treatment of Complaints

Upon receipt of a Complaint, the Chair of the Plan's Financial Audit and Benefit Plans Committee will:

- (i) determine whether the Complaint actually pertains to the Accounting Matters and
- (ii) when possible, acknowledge receipt of the Complaint to the sender. Complaints relating to Accounting Matters will be reviewed under the Plan's Financial Audit and Benefit Plans Committee direction, and the Plan's Financial Audit and Benefit Plans Committee may gather additional information and confer with additional outside resources as needed to investigate the Complaint. Prompt and appropriate corrective action will be taken when and as warranted in the judgment of the Plan's Financial Audit and Benefit Plans Committee.

E. Confidentiality/Anonymity

The Plan shall maintain the confidentiality and anonymity of the person making the Complaint to the fullest extent reasonably practicable within the bounds of the law and any ensuing evaluation or investigation. Legal or business requirements may not allow for complete confidentiality or anonymity. Also, in some cases it may not be possible to proceed with, or properly conduct an investigation unless the complainant identifies himself or herself. In general, it is less likely that an investigation will be initiated in response to an anonymous Complaint due to the difficulty of interviewing anonymous complainants and evaluating the credibility of their Complaints. In addition, persons making Complaints shall be cautioned that their identity might become known for reasons outside of the control of the Plan. The identity of other persons subject to, or participating in, any inquiry or investigation relating to a Complaint shall be maintained in confidence subject to the same limitations.

F. Protections from Retaliation

The Plan will not discharge, demote, suspect, threaten, harass or in any manner discriminate or retaliate against any employee in the terms and conditions of employment based upon any lawful actions of such employee with respect to good faith reporting of Complaints or otherwise, as specified in MN Statute 181.932.

G. Reporting and Retention of Complaints and Investigations

The Chair of the Plan's Financial Audit and Benefit Plans Committee will maintain a log of all Complaints, tracking their receipt, investigation and resolution and shall prepare a periodic summary thereof for the Plan's Financial Audit and Benefit Plans Committee. Copies of Complaints and such log will be maintained in accordance with the Plan's document retention policy.