



The American Association for Laboratory Accreditation

A507 – A2LA Whistleblower Policy

Approved by the
Board of Directors on:
April 6, 2009

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General

Since the enactment of the Sarbanes-Oxley Act of 2002 (SOX), publicly traded companies have begun to focus on protecting whistleblowers and providing mechanisms for employees to raise concerns. Nonprofits have also been subject to increasing scrutiny due to allegations of excessive compensation, self-dealing, and ineffective governance. Many of these problems came to light from whistleblower disclosures. The U.S. Senate Panel on the Nonprofit Sector prepared recommendations modeled on SOX. The final report addresses whistleblower protections and recommends that nonprofits voluntarily comply with the whistleblower provisions of SOX.

Protecting whistleblowers is an essential component of an ethical and open work environment. Whistleblower protection should not be viewed only as a prophylactic mechanism designed to avoid lawsuits. Instead, protecting whistleblowers from retaliation and encouraging constructive whistleblowing benefits nonprofits by increasing transparency and by giving management the opportunity to learn early on of unethical or unlawful practices directly from their employees, directors or committee members rather than from the media, law enforcement, or a regulatory agency. In addition, effective whistleblower protection helps foster a work environment in which all employees, directors and committee members are held accountable, thereby improving performance and empowering them.


A2LA is committed to lawful and ethical behavior in all of its activities and requires employees, directors and committee members to act in accordance with all applicable laws, regulations and policies and to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

The A2LA Code of Conduct (Code) is the document that reinforces the requirement for employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. The A2LA Conflict of Interest-Confidentiality-Intellectual Properties and Duty of Loyalty policies (Policies) serve the same function for directors and committee members. Employees, directors and committee members must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

A2LA has established this Whistleblower Policy to encourage A2LA employees, directors and committee members to report, in good faith, what he or she believes to be a material violation of the law, Code, practice or policy of A2LA, or of a questionable accounting or auditing matter by A2LA, and to protect those who report such matters from retaliation.

Reporting Responsibility

Every employee, director and committee member of A2LA has an obligation to report in accordance with this Whistleblower Policy any matter which is believed to be in violation of the law or of A2LA's Code and/or Policies, or any questionable or improper accounting or auditing matter (hereinafter collectively referred to as "Concerns") governing the A2LA organization or its employees, directors and committee members.

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Procedure

1. Reporting Concerns

Employees

Employees should first discuss their Concern with their immediate supervisor or the next levels of management until the matter is satisfactorily resolved. If at any time the employee becomes uncomfortable speaking with any supervisor or manager, the individual should report the Concern directly to the Audit and Ethics Committee Chair.

Directors and Committee Members

Directors and committee members should report their Concern to the President/CEO or the Vice President/COO. If the director or committee member is not comfortable reporting to either of these individuals, or if he/she does not believe the issue is being properly addressed, the director or committee member may report directly to the Audit and Ethics Committee Chair.

Contact Information


Contact information for the President/CEO and the Vice President/COO can be obtained from the A2LA website, www.a2la.org or by calling A2LA at 301 644 3248. The current Audit and Ethics Committee Chair can be reached at email: A&Echair@a2la.org, which is a dedicated email address that is not accessible by anyone else. This email address can be used for initial contact with the Audit and Ethics Committee Chair, but other confidential communication channels can be arranged thereafter.

Reports can be submitted anonymously but because it is impossible to seek additional information from a reporting person about anonymous reports, it is essential that such reports contain as much specific information as possible.

2. Handling of Reported Concerns

A2LA will investigate all reports filed in accordance with this policy with due care and promptness. Matters reported internally without initial resolution will be investigated by the President/CEO or Vice President/COO of A2LA to determine if the allegations are true, whether the issue is material and what actions, if any, are necessary to redress the issue and prevent its recurrence. A2LA staff will issue a full report of all matters raised under this policy to the Audit and Ethics Committee. The Audit and Ethics Committee may conduct a further investigation upon receiving the report from the President/CEO or Vice President/COO.

For matters reported directly to the Audit and Ethics Committee Chair, the Chair shall put the Concern in writing and immediately notify the Audit and Ethics Committee of any such report.

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The Chair of the Audit and Ethics Committee will notify the Reporting Person (if not anonymous) and acknowledge receipt of the Concern within five business days, if possible.

All reports will be promptly investigated by the Audit and Ethics Committee to determine if the allegations are true and whether the issue is material and what, if any, corrective action will be recommended to the Board of Directors, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow up with the Reporting Person (if not anonymous) for complete closure of the Concern.

The Chair of the Audit and Ethics Committee will maintain a log of reports submitted pursuant to this Policy, which will track their receipt, investigation, if any, and resolution.

Authority of Audit and Ethics Committee

The Audit and Ethics Committee shall be responsible for investigating and making appropriate recommendations to the Board of Directors, with respect to all Concerns reported to the Audit Chair.

The Audit and Ethics Committee has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations, which costs shall be borne by A2LA.

Protection from Retaliation for Reporting Improper Activities

This Whistleblower Policy is intended to encourage and enable directors, committee members and employees to raise serious Concerns within A2LA for investigation and appropriate action. With this goal in mind, no director, committee member or employee who, in good faith, reports a Concern shall be threatened, discriminated against or otherwise subject to retaliation or, in the case of an employee, adverse employment consequences as a result of such report. Moreover, a director, committee member or employee who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including dismissal from the director or committee position or termination of employment.

Acting in Good Faith

Anyone reporting a Concern must be acting in good faith and have reasonable grounds for believing the information disclosed reflects a true violation. An employee, director or committee member who files a report of a Concern on the basis of evidence which they know to be false or without a reasonable belief in the truth and accuracy of such evidence will not be protected by this Policy and may be subject to disciplinary action and legal claims.

Confidentiality

The report of a Concern will be treated confidentially unless disclosure is required or deemed advisable by A2LA in connection with any actual or potential governmental investigation or



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unless advised by A2LA’s outside legal counsel that disclosure would be in the interest of A2LA. Disclosure of information relating to an investigation of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and, with respect to employees, may result in discipline, up to and including termination of employment. Directors and committee members may be removed from office or the relevant committee(s), as appropriate. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits

Record Keeping

Copies of reports of Concerns, the logs of reports maintained in accordance with this Policy, and any documents pertaining to the resolution or investigation of the reports submitted by Reporting Persons will be held electronically in a secure location with access limited to the Quality Manager, President/CEO, Vice President/COO, and Chair of the Audit and Ethics Committee to the extent appropriate in all the circumstances.

My signature below indicates that I have read and concur with this whistleblower policy. I also verify that I have been provided with an opportunity to ask questions about this whistleblower policy.

Printed name

Signature

Date

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