



# Whistleblower Policy

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## Foundation Policy

The Foundation's Board and employees work to ensure the Foundation is knowledgeable of and complies with all laws, regulations, and applicable international conventions and that it respects the customs of the countries in which it works. The Board and employees are expected to comply with the letter and the spirit of all laws and Foundation policies.

As a result, the Foundation has established procedures for the receipt and treatment of any concerns or complaints (collectively "Complaints") from employees and grantees, including confidential, anonymous communications regarding:

- **Legal/Ethical Issues:** Actual or suspected violations of any law, regulation, Foundation policy (including Equal Employment Opportunity Policies), or serious ethical provision of the Foundation's Code of Conduct; and
- **Accounting/Control Issues:** Questionable accounting or auditing matters, or perceived deficiencies in internal controls.

## Reporting Complaints

An employee or grantee must immediately report a Complaint, through the reporting mechanisms described below, if they:

- Commits, thinks they have committed, or that participation in an activity would commit, any Legal/Ethical Issues or Accounting/Control Issues; or
- Observes, learns of, or in good faith believes it is possible that an employee or grantee has committed any Legal/Ethical Issues or Accounting/Control Issues.

An employee may report a Complaint to any Foundation manager/supervisor, the People Partner, the Chief People Officer, the General Counsel, the Chief Financial Officer, or the President and CEO. Alternatively, an employee may report a Complaint to EthicsPoint, a third party authorized by the Foundation to receive such reports.

A grantee may report a Complaint to their program representative, the Human Resources Director, or the General Counsel. The Foundation's main telephone number is (650) 948-7658.

**Adopted:** September 2004

**Reviewed and Approved:** June 14, 2024 by the Board of Trustees

**Contact:** Office of the General Counsel

Alternatively, a grantee may report a Complaint to EthicsPoint. The Foundation's EthicsPoint Reporting website is <https://secure.ethicspoint.com/domain/media/en/gui/12445/index.html> and its telephone number is (800) 963-5942.<sup>1</sup>

### **Receipt of Complaints**

Any Foundation employee, designated above, who receives a written or oral communication expressing a Complaint, including anonymous communications, shall promptly deliver a copy of the written communication or a memorandum of the oral communication in the form of a report to specific individuals within the Foundation charged with evaluating the report (unless they already received it).

The responsibilities for receiving and acting on the report are based on the type of Complaint, as follows:

- Any Complaint regarding Legal/Ethical Issues shall be reviewed by the Chief People Officer and the General Counsel, in coordination with the President and CEO, as appropriate. If the Complaint implicates the President and CEO, it shall be reviewed in coordination with the Chairman of the Board instead.
- Any Complaint regarding Accounting/Control Issues shall be reviewed by the Chief People Officer and the General Counsel, in coordination with the Chief Financial Officer, as appropriate. If the Complaint implicates the Chief Financial Officer, it shall be reviewed in coordination with the Audit Committee Chairman instead.

A Complaint submitted by an employee or grantee to EthicsPoint will be made available only to these specific individuals within the Foundation designated for receipt of the Complaint.

### **Investigation**

For all Complaints, the President and CEO or the General Counsel shall initiate an investigation with respect to the subject matter of each Complaint, as such person deems appropriate.

Specifically, for a Complaint involving Legal/Ethical Issues that implicates the President and CEO, the Chairman of the Board, as such person deems appropriate, may direct the investigation to be conducted by others, such as counsel or third parties.

Similarly, for a Complaint involving Accounting/Control Issues that implicates the Chief Financial Officer, the Audit Committee Chairman, as such person deems appropriate, may direct the investigation to be conducted by others, such as counsel or third parties.

### **Confidentiality**

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<sup>1</sup> Within the United States, Guam, Puerto Rico and Canada. For other locations, please visit the Foundation's EthicsPoint Reporting website.



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A Complaint may be reported anonymously. All reports will be treated confidentially consistent with the need to investigate, prevent, or correct the violation.

### **Retaliation is Prohibited**

Any reported Complaint will be investigated, addressed promptly, and carry no risk of retribution if made in good faith. Any Foundation officer or employee who takes any retaliatory action against a person who, in good faith, makes such a report will be subject to serious discipline.

### **Record Maintenance**

Foundation management shall maintain a file of copies of the memoranda and written communications received reporting a Complaint, as well as a written summary report of the investigation results and any action taken or proposed to be taken. The memorandum, communications, and summary report shall be retained in accordance with the Foundation's document retention policy.

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