



## Questions and Answers for New Mexico State University Employees

### Q. What is EthicsPoint<sup>®</sup> ?

Ethicspoint<sup>®</sup> is the University's contracted services provider for a confidential reporting system that provides students, faculty and staff an alternate and confidential method to report a business concern or suspected/observed misconduct, in lieu of, or in addition to, existing grievance procedures. This reporting tool is not to be used for emergencies. For emergencies, call 911. Ethicspoint<sup>®</sup> is a comprehensive and anonymous Internet and telephone-based reporting tool that assists management, employees, and students to work together to address noncompliance with NMSU's policies and procedures, as well as cases of suspected fraud, abuse, misconduct, and other violations in the workplace, which in turn helps to cultivate a positive work environment.

### Q. May I report using either the Internet or the telephone?

Yes you may. By giving you choices, Ethicspoint<sup>®</sup> helps ensure that employees can file a report anonymously and in the manner most comfortable or convenient to them. Additionally, reports can be filed by telephone in either English or Spanish.

### Q. Why do we need a system like EthicsPoint<sup>®</sup> ?

There are several reasons why we need a reporting tool:

1. We believe that employees are the University's most important asset. Through open channels of communication, you can participate in improving the University and helping to create a safe and ethical environment.
2. Confidential reporting lines have proven to be an effective tool in reducing losses and helping to protect the financial strength of the organization.

### Q. Does management really want me to report?

We certainly do. In fact, we need you to report. You know what is going on in your department - both good and bad. You may have initial knowledge of an activity that may be cause for concern. Your reporting can minimize the potential negative impact on the University and its people. Also, offering positive input may help identify issues that can improve the University's culture and performance.

**Q. Why should I report what I know? What's in it for me?**

We all have the right to work and study in a positive environment and with that right, comes the responsibility of acting in an ethical manner and letting the appropriate people know if someone is not acting appropriately. By working together, we can maintain a healthy and productive environment, which helps us to fulfill our responsibilities to each other and to the taxpayers. As shown by companies like Enron and WorldCom, misconduct can threaten the livelihood of an entire organization.

**Q. What type of situations should I report?**

Ethicspoint<sup>®</sup> is a communications tool providing an avenue for sharing all kinds of information. We anticipate that reporting issues will very generally fall into seven main categories: financial; human resources; research; privacy, risk and safety; information technology; athletics; and other. These categories will be further broken down and defined on the web pages, or by a compliance specialist if using the toll-free telephone number.

**Q. If I see a violation, shouldn't I just report it directly to my manager, security, or human resources and let them deal with it?**

Yes! We encourage you to report inappropriate behavior through established channels whenever possible; however, we recognize that there will also be situations when you may not feel comfortable or secure doing so; Ethicspoint provides a mechanism to report concerns in order to catch problems/issues early, before they grow into large liabilities. Ethicspoint<sup>®</sup> ensures that your report gets to the appropriate people.

**Q. It is my understanding that any report I send from a University computer generates a server log that shows every web-site that my PC connects with, and won't this log identify me as a report originator?**

EthicsPoint<sup>®</sup> DOES NOT generate or maintain any internal connection logs with IP addresses, so no information linking your PC to Ethicspoint<sup>®</sup> is available. With fewer than 12% of reports generated during business hours, most people prefer to report from the comfort of their home after hours and on the weekend.

**Q. Can I file a report from home and still remain anonymous?**

A report from home, a neighbor's computer, or any Internet portal will remain secure and anonymous. An Internet portal never identifies a visitor by screen name and the Ethicspoint<sup>®</sup> system strips away Internet addresses so that anonymity is totally maintained. Plus, Ethicspoint<sup>®</sup> is contractually committed not to pursue a reporter's identity.

**Q. What types of investigations are conducted?**

Reports and complaints received through the Ethicspoint<sup>®</sup> system, which allege misconduct on the part of an NMSU employee are regarded as confidential personnel matters and will result in a confidential internal investigation. Additionally, the alleged misconduct may result in a criminal investigation or

The Ethicspoint<sup>®</sup> name and logo are registered trademarks of Ethicspoint, Inc., all rights reserved

student judicial affairs investigation. Appropriate corrective action will be taken based on the results of the investigation.

**Q. I am concerned that the information I provide EthicsPoint® will ultimately reveal my identity. Are the reports truly confidential?**

Confidentiality of the identity of the reporter will be maintained to the extent feasible under the circumstances; absolute anonymity cannot be guaranteed; however, the internal investigation and any subsequent personnel actions taken remain confidential and known only to those who need to know. Additionally, in order to fully and fairly investigate, as well as to provide adequate due process in the event of subsequent student judicial action or employee discipline, the source of a complaint may need to be disclosed or may be able to be ascertained by those interviewed. All persons who become involved due to the confidential internal investigation are bound to maintain confidentiality; pending criminal investigations are also confidential.

**Q. What if someone finds out I filed a report and retaliates against me?**

No person shall be subjected to reprisal or retaliation for making a report or inquiry in good faith, or for seeking guidance on dealing with potential or suspected improper behavior, or for participating in a confidential internal investigation or related administrative action; in the event a breach of confidentiality or retaliation is alleged, university administration will take additional, prompt investigative and corrective action.

**Q. Isn't this just a "Big Brother" program making everyone suspicious of everyone else?**

Absolutely not - the Ethicspoint® system concentrates on being a positive aspect of the overall University environment, and allows employees to partner with management to assure a safe, secure and ethical workplace. We encourage you to use the system to seek guidance on ethical dilemmas, provide positive suggestions, or communicate a concern. Effective communication is the lifeblood of any organization and Ethicspoint® is a great way to enhance that communication.

**Q. I am aware of some individuals involved with unethical conduct, but it doesn't affect me. Why should I bother reporting it?**

All unethical conduct, at any level, ultimately hurts the University and its employees, including you. You only have to consider what happened in recent corporate scandals to see the disastrous effects that a seemingly harmless lapse in ethics can have on an otherwise healthy organization. If you know of any incidents of misconduct or ethical violations, consider it your duty to yourself and your coworkers to report it.

**Q. I am not sure what I have observed or heard is a violation of University policy, or that it involves unethical conduct, but it just does not look right to me. What should I do?**

File a report. Ethicspoint® can help you prepare and file your report so it can be properly understood. We'd rather you reported a situation that turned out to be harmless than let possible unethical behavior go unchecked because you weren't sure.

**Q. Where do these reports go? Who can access them?**

Reports are entered directly on the Ethicspoint® secure server to prevent any possible breach in security. Ethicspoint® makes these reports available only to the specific individuals within the University who are charged with investigating the report and then deciding the appropriate corrective action to be taken, if any, following the investigation. Each of these report recipients has had training in keeping these reports in the utmost confidence; moreover, the University staff members that may be charged to investigate and to take disciplinary corrective action are also bound by policy and law to maintain confidentiality.

**Q. What if my boss or other managers are involved in a violation? Won't they get the report and start a cover-up?**

The Ethicspoint® system and report distribution are designed so that no report is ever shared with implicated parties. For example, if the University President or other high level administrator is implicated, the report is available only to the System Administrator (Audit Services) and an appropriate investigator. Likewise, if someone in Audit Services is implicated, the report would bypass them and be available only to the President of the University and/or the Board of Regents. This will help to eliminate cover-ups by any implicated individual.

**Q. What if I remember something important about the incident after I filed the report? Or what if the company has further questions for me concerning my report?**

When you file a report at the Ethicspoint® website or via an international toll-free number, you receive a unique user name and are asked to choose a password. You can return to the Ethicspoint® system again either by Internet or telephone and access the original report to answer questions posed by a university representative and add further information that will help resolve open issues. We strongly suggest that you return to the site in the time specified to answer university questions. You and the university now have entered into an "anonymous dialogue" where situations are not only identified but can be resolved, no matter how complex.

**Q. Are these follow-on reports as secure as the first one?**

Yes. All EthicsPoint® correspondence is held in the same strict confidence as the initial report, continuing under the umbrella of anonymity. Some individuals may choose to disclose their identity, but you may rest assured that the PROCESS remains confidential.

**Q. What if I want to be identified with my report?**

There is a section in the report for identifying yourself, if you wish.

**Q. Can I still file a report if I don't have access to the Internet?**

Yes. You can file an Ethicspoint<sup>®</sup> report from any computer that can access the Internet. You can file from home. Many public locations, including the public library, have Internet computers. If you don't have access or are uncomfortable using a computer, you can call the Ethicspoint<sup>®</sup> toll-free hotline 866-ETHICSP (866-384-4277) which is available 24 hours a day, 365 days a year.

**Q. Is the telephone toll-free hot line confidential and anonymous too?**

Yes. You will be asked to provide the same information that you would provide in an Internet-based report and an interviewer will type your responses into the Ethicspoint<sup>®</sup> web site. These reports have the same security and confidentiality measures applied to them during delivery.