

STATE TREASURER'S OFFICE (STO)
POLICY

I. TOPIC

WHISTLEBLOWER POLICY

II. AUTHORITY

- A. Executive Order 2006-006
- B. STO Policy 394.100.100, Employee Code of Conduct
- C. STO Policy 394.100.050, State Treasurer's Investment Policy
- D. STO Policy 394.100.101, Campaign Contributions and Reporting Requirements

III. PURPOSE

The whistleblower policy is issued in order to offer employees and individuals doing business with the state treasurer's office an avenue to voice or report violations of laws, regulations or policies.

IV. SCOPE

All STO employees.

V. DEFINITIONS

RESERVED

VI. POLICY STATEMENT

The New Mexico state treasurer's office (STO) requires division directors, bureau chiefs and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the STO shall practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

A. Reporting Responsibility

1. It is the responsibility of the state treasurer, all division directors, bureau chiefs and employees to comply with all STO policies, including, but not limited to; the code of conduct, the campaign contributions and reporting requirements, the state treasurer's investment policy and to report violations or suspected violations in accordance with this whistleblower policy.
2. This whistleblower policy is intended to encourage and enable employees and others to raise serious concerns within the STO and, if necessary, outside the STO.

B. No Retaliation

1. No division director, bureau chief or employee who in good faith reports a violation of the STO policies shall suffer harassment, retaliation or adverse employment consequence.
2. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline, including possible termination of employment.

C. Reporting Violations

1. STO maintains an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly.
2. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with their supervisor or is not satisfied with their supervisor's response, the employee is encouraged to speak with someone in the human resources bureau or anyone in management they are comfortable in approaching.
3. Supervisors and managers are required to report suspected violations of the code of conduct to the STO's compliance officer who has specific and exclusive responsibility to investigate all reported violations.
4. For suspected fraud, or if there is a level of dissatisfaction or unease with following the STO's open door policy, individuals should contact the STO's compliance officer or the state board of finance directly.

D. Compliance Officer

1. The STO's compliance officer is responsible for investigating and resolving all reported complaints and allegations concerning violations of STO policies and, at their discretion, shall advise the state treasurer and/or the state board of finance (SBOF) director.
2. The compliance officer has direct access to the SBOF director and is required to report to the SBOF director at least semi-annually on compliance activity.
3. The compliance officer shall be selected with the approval of the state treasurer's investment committee (STIC).

E. Investments, Cash Management and Other Matters. The compliance officer shall immediately notify the SBOF director of any complaint involving investments, cash management or other matters and will continue to communicate with the director until the matter is resolved.

F. Acting in Good Faith

1. Anyone filing a complaint concerning a violation or suspected violation of STO policies must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of STO policies.
2. Any allegation that proves to be unsubstantiated and that proves to have been made maliciously will be viewed as a serious disciplinary offense.
3. Knowingly making false allegations shall be viewed as a serious disciplinary offense.

G. Confidentiality

1. Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously.
2. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

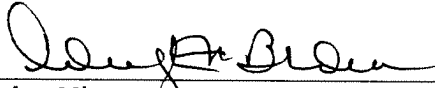
H. Handling of Reported Violations

1. The compliance officer will notify the reporting employee and acknowledge receipt of the reported violation or suspected violation within five (5) business days, if the report was not made anonymously.
2. If the compliance officer cannot investigate a matter because of prior involvement, knowledge or conflict, a third party will be engaged to conduct the investigation.
3. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

I. Contact Information

1. Compliance Officer: Mrs. Judy Espinosa
Phone: 505-955-1148
2. State Board of Finance Staff:
Phone: 505-827-4980

Approved:



Douglas Minge Brown
STATE TREASURER

6-22-06

Date

History:

New 05-16-06.