

AAMI Whistleblower Policy

AMERICAN ACADEMY McALLISTER INSTITUTE OF FUNERAL SERVICE, INC. WHISTLEBLOWER POLICY

(Effective Date January 26, 2022)

A. Policy Statement

American Academy McAllister Institute of Funeral Service, Inc. (“AAMI”) has an obligation to comply with all applicable laws, rules, regulations, ordinances, Executive Orders, judicial and administrative decisions, rulings and orders, and ethical standards and corporate policies, and to guard against wasteful, abusive, illegal, fraudulent and dishonest conduct and protect persons reporting such conduct. AAMI requires its Directors, officers, employees, independent contractors, and volunteers performing services for it to comply with the foregoing and with its policies and business procedures. The purposes of this Whistleblower Policy are to (1) prevent conduct that is not in compliance with the foregoing (“Covered Conduct”); detail AAMI’s procedures for reporting and investigating Covered Conduct, and (3) provide protections to those who report suspected or actual Covered Conduct.

Examples of Covered Conduct include, by way of example and without limitation:

- Financial fraud (including bank fraud) or fraudulent statements to any governmental entity;
- Intentional or grossly negligent misstatements, misrepresentations, falsifications, deceptions, or fraud in preparing, reviewing or auditing any financial statement or report of AAMI;
- Significant deficiencies in, or intentional noncompliance with, AAMI’s internal accounting controls;
- Theft of AAMI’s assets or embezzlement;
- Misuse or waste of AAMI’s resources;
- Activities endangering the health or safety of the AAMI community or others;
- Misuse of data (physical or electronic);
- Violations of applicable laws, rules, regulations, or Executive Orders;
- Unlawful discrimination or illegal workplace behavior;

- Violations of ethical standards or any corporate policy adopted by AAMI or its Board of Directors, including, but not limited to, this policy and AAMI's Conflict of Interest Policy; and
- Retaliation against individuals who submit reports or voice concerns about any of the above in good faith.

AAMI treats any good-faith report that it receives of Covered Conduct seriously, and investigates such reports expeditiously. This Policy sets forth AAMI's procedures for reporting and investigating Covered Conduct. This Policy applies to all of AAMI's directors, officers, and employees, independent contractors and volunteers performing services for AAMI, and applies equally to supervisory and non-supervisory personnel. Nothing in this Policy shall in any way prevent AAMI from acting in any manner that is consistent with its responsibilities under any applicable law with respect to any Covered Conduct, nor shall anything herein modify, replace, or supplant any obligation that any individual has pursuant to any other policy of AAMI.

Any questions regarding this policy should be directed to AAMI's President.

B. Policy and Procedures for Reporting Covered Conduct

If any individual observes, learns, or in good faith suspects that AAMI, or any of its directors, officers, employees, volunteers, or independent contractors performing services for AAMI, have engaged in Covered Conduct, he or she must report such Covered Conduct immediately in accordance with the procedures in this Policy. AAMI encourages individuals who submit reports to identify themselves, with the assurance that AAMI will endeavor to handle such reports confidentially, to the extent consistent with the AAMI's legal obligations and investigatory procedures. Reports, however, may be made anonymously.

AAMI has established the procedures set forth below for the submission, investigation and resolution of reports of Covered Conduct.

1. Reporting Process

Any individual may submit a report of Covered Conduct using one of the following methods:

- By writing to such employee's superior or supervisor (to the extent he or she is not involved in the Covered Conduct).
- By writing to AAMI's President (see address in B.8. below).
- By submitting a report by email to dcymbor@aami.com.
- By submitting a report by fax to 212-765-5923.
- By calling 212-757-1190.
- Any report related to conduct of the President, or which might for any reason not be appropriately made to the President, should be directed to the

Chairperson of AAMI's Board of Directors. Any report related to conduct of the Chairperson of the Board of Directors should be directed to the Chairperson of AAMI's Audit Committee.

- (vii) In addition, any report regarding financial misconduct, inappropriate expenditures of funds, questionable internal controls, accounting practices, or auditing matters, may be made by sending an email to the Audit Committee at Auditcommittee@aami.edu.

Contact information for the President, the Chairperson of the Board of Directors, and the Chairperson of the Audit Committee are included at the end of this Policy in Section B.8. For your convenience, there is a form attached as Appendix A to this Policy that can be used to make any report involving Covered Conduct. (*See* Appendix A).

Reports should include, to the extent possible, a detailed description of the improper activity, the name(s) of the individuals involved, relevant dates, the identity of any witnesses, and any documentation supporting the report. All reports will be kept confidential to the extent consistent with investigatory procedures and applicable law.

If a superior, supervisor, or the President receives a report from an employee of Covered Conduct, the superior, supervisor, or the President must promptly forward the report to the Chairperson of the Board of Directors (or, if the report involves the President of the Board of Directors, to the Chairperson of the Audit Committee). The Chairperson of the Board of Directors or the Chairperson of the Audit Committee shall be referred to as the "Recipient."

If an individual submitting a report identifies him or herself and provides contact information, the Recipient will acknowledge receipt of the Report.

After a report is made, the Recipient shall be available to the reporting individual to answer questions about or to explain this Policy and its procedures.

2. Investigation

The report shall be reviewed by the Recipient with appropriate members of management and/or the Board of Directors and legal counsel, as appropriate. Generally, the appropriate members of management and/or the Board of Directors (the "Reviewing Authorities") shall be determined in light of the nature of the Reported Conduct and the individuals involved. The Reviewing Authorities shall undertake an appropriate investigation. The manner of investigation shall be determined by taking into consideration all relevant factors.

The subject(s) of the report may be notified of the investigation, as the circumstances require, unless prohibited by law.

AAMI expects full cooperation by all individuals in the investigation of a report. An employee's failure to participate or otherwise cooperate in an investigation may result in disciplinary action, up to and including termination of employment.

3. Resolution

When the investigation is concluded, the Reviewing Authorities will determine if any disciplinary action, up to and including termination of employment, and/or corrective measures are required or otherwise warranted, which may include reporting the investigation's findings to appropriate governmental authorities. Nothing in this paragraph shall in any way prevent the Board of Directors from acting in a manner consistent with its responsibilities under New York law in response to any Covered Conduct.

If, when the investigation is concluded, it is not established that Covered Conduct has occurred, the investigation will be closed. Any reports of Covered Conduct that are made in bad faith may result in disciplinary action, up to and including termination of employment and/or other appropriate corrective measures.

If the identity of the person making the report is known, the Reviewing Authorities may inform him or her of the resolution, if the Reviewing Authorities determine that it is appropriate to do so. If the Reviewing Authorities deem it appropriate and/or the circumstances so require, the subject(s) of the report may be notified of the resolution. Any person who is the subject of a report under this Policy shall not be present at or participate in any deliberation, voting, or other decision-making on any matter relating to such report, provided that nothing shall prohibit the Reviewing Authorities from requesting that the person who is subject to the report to present information as background or answer questions prior to such decision-making.

4. Report to the Audit Committee

At the request of the Chairperson of the Audit Committee (if one shall have been constituted by the Board), but not less than semi-annually, the Chairperson of the Board of Directors, who shall administer this policy, will inform the Audit Committee of: (a) all new reports received and reports still open at the time of the Audit Committee meeting, regardless of when made (including reports of minor matters or reports that are ultimately found to be without merit); (b) the results of all investigations of which the Audit Committee has not been informed previously, and (c) the disposition of all reports of which the Audit Committee has not been informed previously.

The Audit Committee shall review, and have custody of, all reports, investigations and resolutions. Notwithstanding the foregoing, any Director who is an employee may not participate in any board or committee deliberations or voting relating to administration of this Policy.

5. Non-Retaliation

No individual, including former employees or independent contractors, shall suffer intimidation, harassment, discrimination, retaliation, or adverse employment consequences, for making a good-faith or reasonable report of Covered Conduct (whether pursuant to Section B.1. of this Policy or otherwise in a manner which is protected under Section 740 of the New York State Labor Law) or for their participation in any internal or governmental investigation of a report of Covered Conduct. Retaliation against any person on this basis is a violation of this Policy, and anyone who so retaliates is subject to disciplinary action, up to and including termination of employment.

New York law includes among prohibited retaliatory actions the following, without limitation: (i) adverse employment actions or threats to take adverse employment actions against an employee in the terms or conditions of employment including but not limited to discharge, suspension, or

demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in Section 459-a, subdivision 2 of the NYS Social Services Law, to a federal, state, or local agency.

6. Protection and Retention of Records

Records relevant to a report and/or investigation will be assembled and secured as soon as possible to protect against alteration, mutilation, destruction or concealment.

All documents related to reports and/or investigations are confidential and shall be maintained indefinitely. Access to such documents will be granted only on a need-to-know basis and at the discretion of the Audit Committee.

7. Distribution of Policy

This Policy shall be posted on AAMI's website and at AAMI's offices in a conspicuous location accessible to employees, independent contractors, and volunteers. Notification regarding the rights provided under Section 740 of the NYS Labor Law, which is annexed hereto as Appendix B, shall be included with such posting, and shall also be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment at AAMI.

8. Contact Information

President Donald Cymbor
American Academy McAllister Institute of Funeral Service, Inc.
1501 Broadway, 11th Floor, Suite 1102
New York, New York 10036
Phone: 212-757-1190
Fax: 212-765-5923
Email: dcymbor@aami.edu

Chairperson, Board of Directors
Mr. Daniel McManus
Clark Associates Funeral Home
4 Woods Bridge Road
Katonah, New York 10536
Phone: 914.232.3033
Fax: 914 232 7896
Email: dmcclark@aol.com

Chairperson, Audit Committee
Mr. Alexander K. Buchholz
PKF O'Connor Davies LLP

500 Mamaroneck Avenue, Suite 301
Harrison, New York 10528
Phone: 914-381-8900
Fax: 212-286-4080
Email: abuchholz@pkfod.com