

NEFA POLICY COMMITTEE REPORT Jan-Feb 2014

Copy of misappropriation policy sent to webmaster for storage on website

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Policy on Misappropriation Funds

North East Freedom Area of NA

Everyone dealing with monies at the Area level, Sub-Committee level should read and sign an Accountability Statement. This will take place annually at election time, whether the individual in the position has changed or not. The accountability statement is below the policy.

The trusted servant who suspects or witnesses monies being misappropriated should fill out a Police Report immediately, and then contact the area chair.

Having a police report filled out immediately by the person whom witnessed the theft or misappropriation of funds is done so that details are not forgotten. This will only be used if the Area decides to pursue the case in Criminal Court.

The Area Chair will form an Ad-Hoc committee comprised of RCM, RCM2, all subcommittee Chairs. If no Chairs are available, and then the Vice-Chairs must attend the committee meeting called. This committee should convene within 48 hours to investigate the claim of theft or misappropriation of NEFA funds.

This Ad-Hoc committee will elect a chair. Each member will have a vote, except for the chair of the committee where the funds were misappropriated, and the Area chair. The Area chair will have a vote in the event of a tie.

The person who has misappropriated funds is immediately removed from their position.

This committee will elect one person to have face to face contact with the suspect, bringing the conscience of the committee, and the issue at hand.

Any records associated with the incident will be kept in the area records by the secretary after the committee has been resolved, but in old business until restitution is completed.

Per WSO Bulletin #30, the person/persons must be given a chance to pay restitution. This restitution will be paid to the area treasurer by money order, or cash. If paid by cash, a receipt will be given as proof of payment.

The contract for re-payment is decided by the Ad-Hoc Committee created to handle the specific event.

Restitution: Depending on the amount of funds, the restitution time frame will change. Anything over \$500 is a felony.

Under \$500 – one payment within 45 days.

Between \$500-\$1,500 – equal payments over six months, first payment within 30 days.

Over \$1,500 – equal payments for no more than a year.

The area treasurer will include a record of these payments in his monthly report. The treasurer will notify the Ad-Hoc committee chair if a payment is missed.

Missed payments: Depending on the time frame of payments for restitution, the amount of missed payments will change.

Under \$500 – if payment is not made within 45 days, then the Area will press charges

Between \$500-\$1,500 – the payer is allowed to miss only one payment, if payments do not resume the month after a payment is missed, then the Area will press charges.

Over \$1,500 – payer is allowed to miss no more than two payments over the course of the year. If two payments are missed, then the Area will press charges.

If pressing charges is necessary, the Ad-Hoc Committee Chair is the person responsible for this action. They will have the original police report and the signed agreement as back up.

If the suspected individual refuses to sign any re-payment agreement, the Ad-Hoc Committee Chair will immediately proceed with pressing charges using the original police report and any information gained during the investigation into the incident as back up.

If an individual refuses to sign the Accountability Statement, then they will not be allowed to (a) handle money, **and/or** (b) be in their position. Depending on the position, both could happen.

Addendum to policy:

NEFA Misappropriation of Funds Accountability Statement

Sample repayment contract

Operational Guidelines for the Ad-Hoc Committee

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The guidelines for the Ad-Hoc Committee are as follows:

1. Investigate Issue
2. Decide who should contact the individual and how to contact them
3. Create contract for restitution
4. Get signature and notarization
5. Give all information to Area Secretary for the archives
6. Chair of Ad-Hoc committee reports to Area
7. Treasurer reports when payments are received or not
8. If payment is not received, Ad-Hoc Committee Chair will press charges

REPAYMENT AGREEMENT

This agreement is between _____, (Payer), _____ (address) and North East Freedom Area of NA (NEFA). It is dated this ____ day of _____, 20__ signed by both parties and notarized.

During the course of their tenure as _____ (position – subcommittee and member or Chairperson) for NEFA, _____ misappropriated NEFA funds.

Payments

Time and Date of Payment: The Payer agrees to pay _____ (complete based upon amount and policy of repayment). The due date of the payment is _____.

Method of Payment: This payment is to be made in CASH or MONEY ORDER. The money order should be made payable to North East Freedom Area of NA, and mailed to the Area Treasurer at the following address:

Treasurer Name
NEFA, Treasurer
Address 1
City, State Zip

Phone Number: _____

Cash Payments: If making a payment in cash, a receipt will be given by the NEFA Treasurer. It is Payer's responsibility to contact the Treasurer to make arrangements to meet to make the payment by the due date.

Missing Payments: (complete based on amount and policy on missed payments and consequences).

Signed:

Payer

NEFA Ad-Hoc Committee Chairperson

Notarized:

STATE OF MARYLAND, COUNTY OF _____:

I, _____, a Notary Public for the above jurisdiction, do certify that both parties, personally known to me, to be the persons whose names is subscribed to the within instrument, bearing date on _____, and who acknowledges that he executed the same for the purposes therein contained.

Given under my hand this ____ day of _____, 20__.

My Commission Expires: _____

Notary Public