

NOTICE TO STAFF

WHISTLEBLOWER PROTECTIONS UNDER US LAW

Under United States (US) law, the employees of any organisation that has entered into any contract, subcontract, or grant with the US Federal Government, are afforded certain whistleblower rights. These rights are available even if that organisation is not based in the US.

An organisation must not:

- a. Terminate the employment;
- b. Demote; or
- c. Otherwise, discriminate against,

any employee that makes a report of what they reasonably believe to be evidence of *gross mismanagement* of a contract or grant made with the US Federal Government.

What can be reported?

For the purpose of these protections, gross mismanagement may include:

- a. Gross mismanagement of a US Federal contract or grant;
- b. A gross waste of US Federal funds;
- c. An abuse of authority relating to a Federal contract or grant;
- d. A substantial and specific danger to public health or safety; or
- e. A violation of law, rule, or regulation related to a US Federal contract or grant (including where related to processes for selecting a contractor or grant recipient)

Who can I report *gross mismanagement* to?

US Federal law protects a person making a disclosure relating to gross mismanagement where that disclosure is made to:

- a. A member of the United States Congress or a representative of a Congressional Committee;
- b. An Inspector General of the US Government;
- c. The US Government Accountability Office;
- d. An employee of the US Federal Government responsible for contract or grant oversight or management;
- e. An authorised official of the US Department of Justice or other law enforcement agency;
- f. A US court or a grand jury;
- g. A management official or other employee of the contractor, subcontractor or grantee who has the responsibility to investigate, discover, or address misconduct.

Who can I report a breach of the whistleblower-protection laws to?

US Federal law also establishes a process for the review of complaints of unlawful reprisals against whistleblowers. If you think you have been subject to an unlawful reprisal after having made a whistleblower complaint, you may submit a complaint to the Inspector General of the agency responsible for the contract or grant to which the gross mismanagement has been alleged.

Further Information

For further information, please refer to <https://ori.hhs.gov/guidelines-whistleblowers> or <https://grants.nih.gov/grants/guide/notice-files/NOT-OD-14-068.html>