



Employee Whistleblower Protection (41 U.S.C. 4712)

The federal government has enacted a program to add in protecting employees from reprisal by employers for having engaged in certain whistleblowing activities in connection with federal grants and contracts.

The program -- the Enhancement of Employee Whistleblower Protection -- is codified at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act (Public Law 112-239, enacted January 2, 2013, made permanent January 2017 by Public Law 114-261). This Program applies to all employees working for contractors, grantees, subcontractors, and sub-grantees on federal grants and contracts.

Under the program, an “employee of a contractor, subcontractor, grantee [or sub-grantee] may not be discharged, demoted, or otherwise discriminated against” as a reprisal for whistleblowing. “Whistleblowing” means disclosing information the employee “reasonably believes is evidence of” any of the following:

- Gross mismanagement of a federal contract or grant;
- The gross waste of federal funds;
- An abuse of authority relating to a federal contract or grant;
- A substantial and specific danger to public health or safety; or,
- A violation of law or regulation related to a federal contract or grant (including the competition for, or negotiation of, a contract or grant).

Whistleblower protections are triggered if the employee discloses the above type of information to any of the following:

- A member of Congress, or a representative of a Congressional committee;
- An Inspector General;
- The Government Accountability Office;
- A federal employee responsible for contract or grant oversight or management at the relevant agency;
- An authorized official from the Department of Justice, or other law enforcement agency;
- A court or grand jury; or,
- A management official or other employee of the contractor, subcontractor, grantee, or sub-grantee who has responsibility to investigate, discover or address misconduct.

Whistleblower protections cannot be waived by any agreement, policy, form, or condition of employment.

Haverford College is committed to complying with this Program. Additional details, including procedures for filing complaints, may be found in the full statute 41 U.S.C. 4712.

