Rights and Protections to Whistleblowers

Developed by
The University of Texas at Dallas
Office of Institutional Equity & Compliance
The federal government has enacted a pilot program, which remains in effect until January 1, 2017, to aid in protecting employees from reprisal by employers for having engaged in certain whistleblowing activities in connection with federal grants and contracts. The program applies to all employees working for contractors, grantees, subcontractors and sub grantees on federal grants and contracts.¹

Under the program, an “employee of a contractor, subcontractor, or financial assistance awardee 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:

- Evidence of gross mismanagement of a Federal contract, grant or cooperative agreement;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract, grant or cooperative agreement (defined by 48 CFR § 3.908-2 as "an arbitrary and capricious exercise of authority that is inconsistent with the mission of the executive agency concerned or the successful performance of a contract of such agency");
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract), grant or cooperative agreement.

¹ Per the statute these provisions do not apply to DoD, NASA, and the Coast Guard or any element of the intelligence community, as defined in section 3(4) of the national Security Act of 1947 (50 U.S.C. 3003(4))
Contractors, subcontractors, or award recipients cannot be dismissed, demoted or discriminated against for reporting such issues, if disclosed to 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 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 the responsibility to investigate, discover or address misconduct.

Additional details and procedures for filing complaints, may be found in the full statute 41 U.S.C. 4712 (Section 828) and at Federal Regulations, 48 C.F.R. 3.908.
How Do I Learn More?

- UT Dallas Institutional Compliance [Website](#)
- UT Dallas [Hotline](#) Procedures
- UT Dallas Institutional Compliance Training [Resources](#)
- Contact UT Dallas’s Compliance Office:
- 972-883-2233 or [compliance@utdallas.edu](mailto:compliance@utdallas.edu)