

## **Pilot Program for Enhancement of Employee Whistleblower Protection (41 U.S.C. 4712)**

Congress has enacted a 4-year pilot program (July 1, 2013 through January 1, 2017) granting enhanced protections to any government contractors, subcontractors, or grantees against reprisal for certain whistleblowing activities.

In general, an employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for providing information that the employee reasonably believes is evidence of the following (except for classified information):

- Misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant;
- Gross mismanagement of a Federal contract or grant;
- 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, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

This pilot program covers only those employees who disclose these types of information to a person or body described below:

- A Member of Congress or a representative of a committee of Congress;
- 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 of the Department of Justice or other law enforcement agency;
- A court of grand jury; or,
- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Additionally, the pilot program provides a process for whistleblowers, who believe they have been subjected to a reprisal due to disclosing information detailed in this policy, to submit a complaint to the Inspector General of the executive agency involved, provided all complaints are submitted within three years of the date of the alleged action.

Unless the Inspector General determines that the complaint is frivolous, fails to allege a violation, or has previously been addressed in another Federal or State judicial or administrative proceeding, the Inspector General will investigate the complaint and, upon completion of the investigation, submit a report of the findings of the investigation to the whistleblower, the contractor or grantee, and the head of the agency.

If the agency determines that discrimination has occurred, the pilot program allows for certain remedies, including ordering the contractor or grantee to reverse the reprisal; reinstating the whistleblower to the position held before the reprisal, including back pay, employment benefits, and other terms and conditions of employment that would apply to the whistleblower had the reprisal had not been taken; or ordering the contractor or grantee to pay the whistleblower the aggregate amount of all costs and expenses reasonably incurred for, or in connection with, bringing the complaint regarding the reprisal as determined by the head of the executive agency.

To view the full details of the pilot program, please click [here](#).

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Rice University is committed to providing an environment of ethical behavior and to complying with the law and university policies. As part of that commitment, Rice offers a number of ways by which employees and others can communicate their questions or concerns about what they think may be unethical, illegal or improper workplace behavior. Following is a reminder of those options which are available at Rice, and can be accessed as part of the pilot program described above.

First, faculty and staff members are encouraged to communicate questions or concerns to supervisors or other officials in their schools or departments. Specifically, violations related to research should be reported to the employee's immediate supervisor or to the Vice Provost for Research. Non-research related violations can also be reported to the offices of Human Resources, Internal Audit, General Counsel, Equal Employment Opportunity/Affirmative Action and Risk Management, all listed in the university directory. The university also has contracted for the services of EthicsPoint, an outside vendor that provides a confidential, anonymous reporting system for compliance questions or concerns. Examples might include potential errors or irregularities in accounting, auditing or internal control processes; financial mismanagement; potentially illegal employment practices or actions; research misconduct; harassment; and workplace safety.

You can contact EthicsPoint at <http://www.rice.edu/ethics>; through the EthicsLine link on the faculty, staff and graduate/undergraduate student gateways on rice.edu; or by calling, toll free, 1-866-294-4633, so you can speak to someone from EthicsPoint in English or Spanish. The website includes frequently asked questions and a link to Rice policies. Reports received by EthicsPoint are transmitted to the university's Director of Internal Audit for routing to the appropriate official for investigation and resolution, and EthicsPoint reports the outcome back to the person making the inquiry. The entire process is confidential.

If you have questions about EthicsPoint or other methods for reporting questions or concerns about workplace behavior, please contact Rice's Director of Internal Audit, Janet Covington, at 713-348-6312, or EthicsPoint.