**Notice to Employees of Enhanced**

**Whistleblower Protections**

The United States Congress, in the National Defense Authorization Act for Fiscal Year 2013 (P.L.112-239), provided enhanced protection for certain whistleblowers.

**Retaliation is prohibited**

In general and as provided by statute, an employee, whose employer is a contractor or subcontractor under a Federal contract or grantee under a Federal grant, may not be discharged, demoted, or otherwise discriminated against as a reprisal for the employee’s disclosing, to a person or body described below, information that the employee reasonably believes is evidence of:

* 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.

The persons and bodies described are:

* 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 or 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.

In addition, an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure.

The term “abuse of authority” means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the Federal agency concerned or the successful performance of a contract or grant of such agency.

Murray State University’s confidential reporting system may be used for the disclosures described here. You may call the University’s dedicated complaint “hot-line” at (270) 809-5599, complete and electronically submit the “Report Concerns Form” found on the myGate Employee tab under the Bookmarks Plus channel, or complete and print the “Report Concerns Form” and mail it to the Internal Auditor whose address is 219 Wells Hall, Murray, Kentucky 42071.

Procedures for submitting fraud, waste, and abuse complaints also may be accessible on the Internet site of the Federal agency which issued the contract or grant.

**Process for filing a complaint in the event of retaliation.**

An employee who believes that he or she has been discharged, demoted, or otherwise discriminated against as a reprisal for a disclosure described above may submit a complaint with the Inspector General of the Federal agency which issued the contract or grant. Procedures for submitting whistleblower complaints are generally accessible on agency Office of Inspector General Hotline or Whistleblower Internet sites.

A complaint for reprisal may not be brought more than three years after the date on which the alleged reprisal took place.

**Additional Information and Assistance.**

Additional information regarding the protection against reprisals may be found in Federal statute 41 USC 4712 which may be found at <http://uscode.house.gov/view.xhtml?req=(title:41%20section:4712%20edition:prelim)>

Please note that this statute is due to expire in 2017.

Additional information relating to particular types of contracts and grants, such as those with the Department of Defense and NASA, may be found at 10 USC 2409 found here

<http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section2409&num=0&edition=prelim>

Internal Auditor Michelle Saxon is available to answer questions or provide assistance regarding these protections. She may be reached at extension 3005 or [msaxon@murraystate.edu](mailto:msaxon@murraystate.edu).

The protections discussed here are in addition to Murray State’s own whistleblower program found at <http://www.murraystate.edu/human_resources/code_of_ethics.pdf>

and <http://campus.murraystate.edu/whistleblower/WhistleblowerConsumerPage2012v7.pdf>