

Whistleblower protection

Law



One of these is the First Amendment right to free speech, although this only applies to government employees or employees whose complaint is about an aspect of the government. Other legislative acts protecting federal employees include the Civil Service Reform Act, the Whistleblower Protection Act, and the Department of Defense Authorization Act. However, there are also federal protections for private-sector employees, such as the Energy Reorganization Act, the Federal Mine Safety and Health Act, the Occupational Safety and Health Act (well-known as OSHA), and retaliation protection under various non-discrimination statutes. 24 states also have their own protections for whistleblowers.

Common law protection for whistleblowers in the courts falls under the system for fighting wrongful termination. These are the same laws that protect, for example, workers who seek compensation for work-related injuries. In order to be covered under these protections, the employee must have been fired for either asking for something to which they were legally entitled or for refusing to perform a job duty that was illegal. Whistleblowers generally fall under the second category. These protections exist in most but not all states; in some states, these are not recognized as exceptions to the at-will employment setup.