



U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE OF INSPECTOR GENERAL

Whistleblower Information for Employees of HHS Contractors, Subcontractors, Grantees, Subgrantees or Personal Services Contractors

Federal law protects Federal employees against reprisal for whistleblowing. In addition, under Title 41, United States Code, Section 4712, it is illegal for an employee of a Federal contractor, subcontractor, grantee, subgrantee, or personal services contractor to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. Under Presidential Policy Directive (PPD-19), an action affecting access to classified information cannot be taken in retaliation for protected whistleblowing.

The U.S. Department of Health and Human Services (HHS), Office of Inspector General (OIG), has jurisdiction to investigate whistleblower reprisal allegations brought by employees of HHS contractors, subcontractors, grantees, subgrantees or personal services contractors. Information on how to report suspected reprisal to the OIG is available at: <https://oig.hhs.gov/fraud/report-fraud/>

Whistleblowers perform an important service to the U.S. Department of Health and Human Services and the public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so.

What is a whistleblower?

A whistleblower is an employee of a Federal contractor, subcontractor, grantee, subgrantee or personal services contractor who discloses information that the individual reasonably believes is evidence of:

- Gross mismanagement of a Federal contract or grant;
- A 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.

To whom must the disclosure be made to be protected?

To be protected under Section 4712, a disclosure must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office (GAO);
- A Federal employee responsible for contract or grant oversight or management at the relevant agency;
- An authorized official of HHS 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.

Disclosures involving classified information should be made in accordance with otherwise applicable laws, and individuals should consult with the OIG Hotline to ensure that such disclosures to it are made appropriately.

What can I do if I believe retaliation has occurred?

Employees of Federal contractors, subcontractors, grantees, or subgrantees or personal services contractors may file a complaint under Section 4712 with the OIG Office of Investigations (through the OIG Hotline) which will investigate the matter unless it determines that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. Upon completion of its investigation, the OIG will submit a report of its findings to the employee, the contractor or grantee concerned, and the HHS Secretary (or his/her designee).

If you are an employee of HHS, or of a HHS contractor, subcontractor, grantee, subgrantee or personal services contractor, and you suspect that a personnel action or an action affecting access to classified information has been taken against you in reprisal for making a disclosure of wrongdoing, you may report it to the OIG Hotline.

Nothing in an employer's non-disclosure agreement should be interpreted as limiting your ability to provide information to the OIG Hotline.

For further information about whistleblower rights and protections, please see the Whistleblower Protection Coordinator page on the OIG's website at: <https://oig.hhs.gov/fraud/whistleblower/>

Note: OIG does not have authority to investigate EEO complaints. For such matters, please refer to the HHS Equal Employment Opportunity Compliance and Operations (EEOCO) Division website at <https://www.hhs.gov/about/agencies/asa/eeo/index.html> or the U.S. Equal Employment Opportunity Commission (EEOC) website at www.eeoc.gov. If you are a civilian Federal employee and wish to make a whistleblower disclosure or report reprisal for doing so outside HHS, you may contact the U.S. Office of Special Counsel website at <https://osc.gov>.

How can I report wrongdoing to OIG?

If you know about waste, fraud, abuse, misconduct, or whistleblower reprisal relating to a HHS employee, program, contract, or grant you may report it to the OIG Hotline through the following:

Website:

<https://oig.hhs.gov/fraud/report-fraud/>

Hotline:

1-800-447-8477 (1-800-HHS-TIPS)

TTY #: 1-800-377-4950

Fax #: 1-800-223-8164

Mailing Address:

Office of Inspector General
U.S. Department of Health and Human Services
ATTN: HOTLINE
P.O. Box 23489
Washington, DC 20026