

Connecticut

■ STATE WHISTLEBLOWER LAW

TERMS: It is illegal for an employer to fire, discipline or otherwise punish a worker because the worker reports a violation or suspected violation of any state or federal law to a public agency or authority. Likewise, retaliation against a worker for participating in an investigation, hearing or inquiry requested by a public agency or authority is also unlawful.

ENFORCEMENT: After first trying to resolve the matter informally, a worker who is fired or disciplined in any other way in violation of this provision may file a civil lawsuit against the employer involved, using a private attorney or public legal service provider. Court action must generally commence no later than 90 days after the violation occurred.

Florida

■ WHISTLEBLOWER LAW

TERMS: It is illegal for employers of 10 or more workers to fire, suspend, demote, or punish a worker in any other way, for giving information to a government agency about an activity, policy or practice of the employer that violates federal, state or local law. It is also unlawful for an employer to retaliate against a worker who has testified or provided information to a governmental agency conducting an investigation, hearing or inquiry into an employer's alleged violation of a law or regulation.

Before a worker can claim damages for reporting an employer's unlawful activity, policy or practice, the worker must first report the alleged violation to a supervisor or to the employer, in writing, and give the employer a reasonable opportunity to correct the activity, policy or practice.

ENFORCEMENT: A worker who has suffered retaliation in violation of this law may take action in civil court against the employer involved, using a private attorney or public legal service provider. The suit must be filed within 2 years after the worker discovers the retaliatory action, or within 4 years after the action was taken, whichever is earlier.

Hawaii

■ WHISTLEBLOWERS' PROTECTION ACT

TERMS: Employers in Hawaii are prohibited from firing, threatening or otherwise discriminating against a worker in the terms and conditions of employment, because the worker reported — or planned or attempted to report — a violation or suspected violation of a federal, state or local law. It is also illegal for an employer to discriminate against a worker because the worker is asked to participate in an investigation, hearing or inquiry held by a public body or court of law.

ENFORCEMENT: A worker who alleges a violation of this law may file a civil lawsuit against the employer involved for damages or other relief, using a private attorney or public legal service provider. A suit of this nature must be filed within 2 years after the alleged violation occurred.

Maine

■ WHISTLEBLOWERS' PROTECTION ACT

TERMS: It is unlawful for an employer in Maine to fire, threaten or otherwise discriminate against a worker in the terms and conditions of employment, because the worker reports to the employer, or to a public officer or agency, what the worker reasonably believes is a situation or practice that would put the health or safety of the worker or anyone else at risk. Employers are also prohibited from taking discriminatory employment action against a worker because the worker has been asked to take part in an investigation, hearing or inquiry by a public agency or court of law.

Before a worker's claim of unlawful discrimination under this law can be investigated and enforced, the worker is generally required to first bring the alleged violation, situation or practice to the attention of a supervisor and allow the employer a reasonable opportunity to correct it.

ENFORCEMENT: *Maine Human Rights Commission, Augusta, Maine 04333 (207-624-6290)*. A worker alleging a violation of his or her rights under these provisions, and who has complied with the requirement to notify a supervisor in an attempt to resolve the issue informally, may file a complaint with the Commission for action under the Maine Human Rights Act, summarized in a previous entry.

Michigan

■ **WHISTLEBLOWERS' PROTECTION ACT**

TERMS: It is illegal for an employer in Michigan to fire, threaten or otherwise discriminate against a worker regarding the terms and conditions of the job, because the worker — or the worker's representative — reported or plans to report a suspected violation of federal, state or local law to a public agency or officer.

Employers are also prohibited from discriminating against a worker because the worker has been asked by a public agency or court of law to participate in an investigation, hearing or inquiry.

ENFORCEMENT: A worker who has been affected by a violation of these provisions may take legal action against the employer involved, using a private attorney or public legal service provider. Any such action must be filed within 90 days after the violation occurred.

Minnesota

■ STATE LABOR LAWS (*DISCLOSURE OF INFORMATION BY EMPLOYEES*)

TERMS: Public and private employers in Minnesota are prohibited from firing, disciplining, threatening or otherwise discriminating against an employee because the employee:

- (1) In good faith reports a suspected violation of federal or state law to the employer, to a governmental agency, or to a law enforcement official.
- (2) Is requested by a public body or office to participate in an investigation, hearing or inquiry.
- (3) Refuses the employer's order to perform an action that the employee believes violates federal or state law, and informs the employer that the order is being refused for that reason.

ENFORCEMENT: An employee who experiences retaliation in violation of this law may take legal action against the employer involved, using a private attorney or public legal service provider.

New Hampshire

■ WHISTLEBLOWERS' PROTECTION ACT

TERMS: It is illegal for an employer to harass, abuse, intimidate, fire, threaten or otherwise discriminate against a worker because the worker:

- (1) In good faith reports what he or she reasonably believes is a violation of a state or federal law or regulation.
- (2) Objects to or refuses to participate in an activity that the worker, in good faith, believes is a violation of the law.
- (3) Refuses to carry out an order that violates a state or federal law or regulation.
- (4) Participates in an investigation, hearing or inquiry conducted by a governmental agency or court, concerning alleged violations of the law by the employer.

ENFORCEMENT: *Inspection Division, New Hampshire Department of Labor, Concord, New Hampshire 03301 (603-271-3176).*

New Jersey

■ CONSCIENTIOUS EMPLOYEE PROTECTION ACT

TERMS: Employers in New Jersey are prohibited from retaliating against a worker because the worker does any of the following:

- (1) Reports or threatens to report — to a supervisor, or to a public agency or official — an activity, policy or practice of an employer that the worker reasonably believes is in violation of the law, or is fraudulent or criminal.
- (2) Provides information to or testifies before a public body that is conducting an investigation, hearing or inquiry into a violation of law by an employer.
- (3) Objects to or refuses to participate in an activity, policy or practice that the worker reasonably believes is fraudulent, criminal, or in violation of the law.

The protection against retaliation for reporting an alleged violation to a public body does not apply unless the worker first brings the violation to the attention of a supervisor in writing, and gives the employer a reasonable opportunity to correct the unlawful activity, policy or practice involved.

ENFORCEMENT: A worker who has experienced unlawful retaliation under this law may, within one year after the retaliation occurs, file a civil lawsuit against the offending employer, using a private attorney or public legal service provider.

New York

■ GENERAL LABOR LAWS (*RETALIATORY ACTION BY EMPLOYERS*)

TERMS: It is illegal for an employer to fire, discipline or otherwise retaliate against a worker because the worker reports a violation of a law or regulation to a supervisor or to a public agency or official, when the violation poses serious danger to public health or safety.

Likewise, retaliation against a worker for participating in an official investigation or hearing about an employer's violation of a law or regulation, or for refusing to participate in an activity or practice that violates a law or regulation, is also illegal.

Importantly, the protection against retaliation applies only if the worker brings the unlawful activity to the attention of a supervisor, and gives the employer a reasonable opportunity to stop the unlawful activity or take other corrective action.

ENFORCEMENT: A worker who is fired or disciplined in any other way in violation of this law may take legal action against the employer in court, using a private attorney or public legal service provider. Action in court generally must be filed no later than one year after the retaliation occurred.

Ohio

■ **WHISTLEBLOWER'S PROTECTION LAW**

TERMS: Whenever a worker (1) learns of a violation of a federal or state law that his or her employer has authority to correct, and (2) reasonably believes that the violation is a criminal offense that could cause harm to people or threaten public health or safety, the worker is required to notify a supervisor of the violation.

If the employer does not correct the violation or make a reasonable and good-faith effort to do so within 24 hours, the worker may file a written report of the matter with a police officer or other appropriate public official or agency.

In general, it is illegal for an employer to discipline or retaliate in any other way against a worker for making any such report.

ENFORCEMENT: If an employer retaliates against a worker because the worker reported unlawful activity within the employer's authority to correct, the worker may take legal action against the employer in civil court for relief, using a private attorney or public legal service provider. The suit must be commenced within 180 days after the date the disciplinary or retaliatory action was taken.

Oregon

■ CIVIL RIGHTS LAWS (*WHISTLEBLOWING*)

TERMS: It is unlawful for an employer to fire, demote, suspend or in any manner discriminate or retaliate against an employee with regard to the terms and conditions of employment, because the employee has in good faith reported information that he or she believes is evidence of a violation of a state or federal law or regulation.

ENFORCEMENT: *Civil Rights Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0764)*. A worker who has been subjected to discrimination or retaliation by his or her employer for having reported evidence of a violation of state or federal law may file a written complaint with this agency, up to one year after the alleged discriminatory or retaliatory action occurred.

Instead of filing a complaint with the Civil Rights Division, an aggrieved worker may take legal action against the employer in civil court, using a private attorney or public legal service provider.

SPECIAL NOTE: An employer may not fire, punish or discriminate in any way against a worker because the worker has filed a complaint, participated in an investigation or other enforcement action, or made use of any other right under this law.

Rhode Island

■ RHODE ISLAND WHISTLEBLOWERS' PROTECTION ACT

TERMS: It is illegal for an employer to fire, threaten or otherwise discriminate against a worker regarding pay and other terms, conditions and privileges of employment for any of the following reasons:

- (1) The worker, or a person acting on the worker's behalf, has reported or is planning to report to a public agency, or to a public official, a violation of state or federal law, whether the violation is about to occur or has already occurred.
- (2) The worker has been asked by a public agency or official to participate in an investigation, hearing or inquiry held by an agency or court of law.
- (3) The worker refuses to violate or assist in violating a federal, state or local law.
- (4) The worker has reported to the employer, or to a supervisor, a violation of law that the worker believes has occurred or is about to occur.

ENFORCEMENT: A worker who suffers from a violation of the Whistleblowers' Protection Act may take legal action in civil court against the employer or other person responsible, using a private attorney or public legal service provider. A lawsuit of this nature must be filed within 3 years after the occurrence of the alleged violation.

Tennessee

■ WHISTLEBLOWER LAW

TERMS: No worker may be fired solely for refusing to participate in, or for refusing to remain silent about, activities that are in violation of state or federal law or any regulation intended to protect the public health, safety or welfare.

ENFORCEMENT: A worker who is terminated in violation of this provision may take action in civil court against the employer involved, using a private attorney or public legal service provider.