

Notice to Employees

The Contractor Whistleblower Protection Notice to Employees is provided to University employees to inform them of their reporting obligations related to sponsor funded research and protections under the policies of the University of Colorado and laws of the State of Colorado and U.S. Federal government.

UNIVERSITY POLICY AND PROTECTION

Per [APS 2027: University of Colorado Code of Conduct](#), Section 9: Reporting Suspected Misconduct (Whistleblower Policy), University employees are expected to report known and suspected violations of university policies and violations of applicable laws and regulations. This includes misconduct related to all sponsor funded research. University employees should report:

- To their direct supervisor, unless the situation merits escalating the report; and/or
- To the appropriate office:
 - Fraud, theft, embezzlement, abuse, or waste may be reported to the [University Department of Internal Audit](#);
 - Certain kinds of misconduct or for concerns of a sensitive nature, reports can be made through the [Ethics Hotline](#);
 - Reports of possible discrimination, harassment, bullying, sexual misconduct, intimate partner abuse or stalking can be made to the University of Colorado Boulder [Office of Institutional Equity and Compliance](#). All managers are mandatory reporters.

University employees who act in good faith in reporting known or suspected violations of law or University policy are protected from retaliation ([Regent Policy 8.A.9 – Reporting Suspected Misconduct \(Whistleblower Policy\)](#)).

FEDERAL PROTECTION

Federal law ([41 U.S.C. 4712](#), [Public Law 114-261](#), and [10 U.S.C. 2409](#),) provides whistleblower rights and protection for civilian employees working on a Federal Government contract, subcontract, or grant. Specifically, contractors and subcontractors are prohibited from a) discharging, b) demoting, or c) discriminating against employees who report what they reasonably believe is misconduct related to a Federal contract or grant. Disclosure of misconduct could involve, but not be limited to, any of the following:

- 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 or grant (including the competition for or negotiation of a contract or grant).

In particular, the prohibition against retaliation applies when suspected mismanagement is disclosed to the following persons and/or entities:

- A. A Member of Congress or a representative of a committee of Congress.
- B. An Inspector General.
- C. The Government Accountability Office.
- D. A Federal employee responsible for contract or grant oversight or management at the relevant agency.
- E. An authorized official of the Department of Justice or other law enforcement agency.
- F. A court or grand jury.
- G. A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Additionally, 41 USC 4712 establishes a process for review of whistleblower reprisal complaints alleged by employees of contractors, subcontractors, and grantees when that employee believes he/she has been subjected to a reprisal prohibited by this law. Complaints may be submitted to the Inspector General of the executive agency involved, which are generally accessible on agency Office of Inspector General (OIG) Hotline or Whistleblower Internet sites, such as these:

- [National Science Foundation \(NSF\) OIG](#)
- [National Institutes of Health \(NIH\) – Department of Health and Human Services HHS OIG](#)
- [National Aeronautics and Space Administration \(NASA\) OIG](#)
- [Department of Commerce OIG](#)
- [Department of Defense OIG](#)