

WHISTLEBLOWER PROTECTION POLICY

LANCASTER COUNTY, NEBRASKA

41 U.S.C. §4712
Protection from Reprisal
for Disclosure of Certain Information

POLICY STATEMENT

Lancaster County, Nebraska will ensure that its employees will not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information to a person or body that the employee 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.

For these purposes, a person or body is described as:

- 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 grant jury.
- G. A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

ORGANIZATION AND RESPONSIBILITIES

The Deputy Chief Administrative Officer of the Lancaster County Board of Commissioners, 555 South 10th Street, Lincoln, NE, 68508, 402-441-7447, is available for guidance on policy compliance activities, inquiries, and is available to assist with complaints when appropriate.

NOTICE TO EMPLOYEES

In accordance with the requirements of 41 U.S.C. §4712, reprisal (discharge, demote, or otherwise discriminate) against an employee of Lancaster County is prohibited. Employees are encouraged to make a protected disclosure of information that the employee reasonably believes is evidence of:

- gross mismanagement of a Federal contract or grant;
- 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 a law, rule, or regulation related to a Federal contract or grant.

COMPLAINTS

Complaints may be submitted to the Inspector General of the executive agency involved. Complaints may not be brought more than three years after the date on which the alleged reprisal took place.

Unless the Inspector General makes a determination that the complaint is frivolous, fails to allege a violation, or has been addressed previously, the Inspector General shall investigate the complaint and submit a report of the findings of the investigation to the person, the contractor or grantee concerned, and the head of the agency within 180 days after receiving the complaint.

Not later than 30 days after receiving an Inspector General report pursuant to an investigation, the head of the agency concerned shall determine whether there is sufficient basis to conclude that the contractor or grantee concerned has subjected the complainant to reprisal and shall either issue an order denying relief or order relief.

If relief is denied, or if no action has been taken within 210 days of receipt of the complaint (or 30 days following expiration of any extension agreed to between OPM OIG and the complainant), the complainant may bring an action in an appropriate United States district court against his or her employer as described under 41 U.S.C. §4712.

The Inspector General may not disclose information from or about any person alleging the reprisal unless the disclosure is (a) made with the consent of the person alleging the reprisal; (b) made in accordance with the provisions of Section 552a of title 5 or as required by any other applicable Federal law; or (c) necessary to conduct an investigation of the alleged reprisal.

Any employee filing a frivolous or malicious complaint may be subject to disciplinary action.