

Pennsylvania Whistleblower Law

Protects employees who:

- make a good faith report (either orally or in writing) of wrongdoing or waste to either: (i) their employer, or (ii) an appropriate authority
- are asked by an appropriate authority to participate in an investigation, hearing, or inquiry or in a court action

Employees are still protected, even if:

- they are only *about to*, or have only taken steps to, make a report
- a person acting on their behalf is the one who makes the report

Protections for employees:

- Employers may not: “discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment”

Some important definitions:

An appropriate authority includes any government entity that may have jurisdiction to regulate waste, ethics, or fraudulent activity; as well as individuals within those organizations

The full legal definition is: “any Federal, State or local government body, agency or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or waste; or a member, officer, agent, representative or supervisory employee of the body, agency or organization”

Examples (not exhaustive): the Office of Attorney General, the Department of the Auditor General, the Treasury Department, the General Assembly and committees of the General Assembly having the power and duty to investigate criminal law enforcement, regulatory violations, professional conduct or ethics, or waste

Waste is an act that results in a “substantial abuse, misuse, destruction or loss” of money or resources that belong to, or come from, the state or the City of Philadelphia (e.g., tax revenue, public money, etc.)

The full legal definition is: “An employer's conduct or omissions which result in substantial abuse, misuse, destruction or loss of funds or resources belonging to or derived from Commonwealth or political subdivision sources”

Wrongdoing is the violation of a federal, state, or City law, regulation, or rule that is designed to protect the public interest

The full legal definition is: “A violation which is not of a merely technical or minimal nature of a Federal or State statute or regulation, of a political subdivision ordinance or regulation or of a code of conduct or ethics designed to protect the interest of the public or the employer.”