

WHISTLEBLOWER POLICY

Public Act No. 02-91 repealed Connecticut General Statute (CGS) §4-61dd as it relates to An Act Concerning State Employee and Contractor Whistleblowing Complaints.

Any person having knowledge of any matter involving corruption, unethical practices, violation of State or Federal laws or regulations, mismanagement, gross waste of funds, abuse of authority, or danger to the public safety occurring in any State department or agency or any quasi-public agency, as defined in CGS 1-120, or any large State contractor, may report such matter to the Auditors of Public Accounts who shall investigate and report their findings to the Attorney General. The statute further protects employees who report such matters (commonly known as "whistleblowers") from retaliatory personnel actions taken or threatened by the employer who is the subject of a report to the Auditors or the Attorney General.

The University prohibits retaliation against employees who report such matters.

Until recently, an aggrieved State or quasi-public agency employee could file a claim with the Employees' Review Board under §5-202 or, in the case of an employee covered by a collective bargaining agreement, in accordance with contractual procedures. An employee of a large State contractor, after exhausting all administrative remedies, could also pursue a civil action.

On June 3, 2002, Public Act 02-91 provided an additional forum for employees who claim that they were the subjects of retaliatory actions or threats for making whistleblower complaints. The existing procedures and remedies remain as options, but aggrieved employees — including those covered by a collective bargaining agreement — may, **after** investigation by the Attorney General, choose to file a complaint with the Chief Human Rights referee at the CHRO Office of Public Hearings. If the referee determines that a violation occurred, the referee may award the aggrieved employee "reinstatement to the employee's former position, back pay, and reestablishment of any employee benefits to which the employee would otherwise have been eligible if such violation had not occurred, reasonable attorneys' fees, and any other damages." Any party may appeal the referee's decision in accordance with the provisions of CGS §4-183.

The Public Act also creates a rebuttable presumption that any personnel action taken or threatened against a whistle blowing employee is retaliatory if it occurs within one year of the complaint. All of the referees are impartial adjudicators, experienced in employment discrimination law, including cases involving retaliation against employees who have engaged in activities protected by State and Federal anti-discrimination law.

Complaints may be filed with the Chief Human Rights referee at the Office of Public Hearings, 21 Grand Street, Hartford, CT 06106. To obtain a complaint form or to obtain additional information, please call 860-541-3452.