

Whistleblower Law

A "whistleblower" is an employee who reports a violation of law by his or her employer. The violation may be against the reporting employee or may be a general violation such as unlawful pollution practices. The federal government and many states, including Kentucky, have laws protecting whistleblowers from retaliation for filing a claim or reporting a violation.

Federal Law Protections for Whistleblowers

The federal Clean Air Act, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Energy Reorganization Act, Safe Drinking Water Act, Solid Waste Disposal Act, Toxic Substance Control Act, and Water Pollution Control Act contain protections for employees complaining of safety and/or health hazards caused by an employer in the workplace or the environment. To be protected, an employee must have a good-faith belief that the employer is violating the law, and must complain either to the employer or to a federal agency about the apparent violation. The employee is protected even if the employer is ultimately found to be in compliance. An employee who believes he or she has been retaliated against for making a complaint, must bring a complaint to the Occupational Safety and Health Administration within thirty days of the retaliatory action.

State Law Protections for Whistleblowers

Employees are also protected in most states, including Kentucky, by general statutes or common law barring discrimination or retaliation against whistleblowers. The Kentucky Statute is KRS 61.102. As under federal law, in order to qualify for whistleblower protection an employee generally must have a good-faith belief that the employer or its employees are in some way violating the law.

Legal Help for Whistleblowers

If you are an employee who has reported a violation of law by your employer, and believe that you have suffered retaliation because of that reporting, you should contact us to set up an appointment to evaluate your claim.

"This is an advertisement."