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OSHA strengthens its whistleblower protection program

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The Occupational Safety and Health Administration (“OSHA”) recently announced that it will implement new measures to strengthen its Whistleblower Protection Program. OSHA enforces the whistleblower protection provisions of 21 federal statutes, including, among others, the Occupational Safety and Health Act, the Surface Transportation Assistance Act, the Clean Air Act, the Comprehensive Environmental Response, the Compensation and Liability Act, the Energy Reorganization Act, the Sarbanes-Oxley Act, the Federal Railroad Safety Act, the Affordable Care Act and the Consumer Financial Protection Act. The whistleblower provisions enforced by OSHA prohibit employers from retaliating against employees who raise protected concerns or provide protected information to an employer or the government.



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The new measures were designed in response to a series of audits of the Whistleblower Protection Program by the Government Accountability Office and an internal investigation completed by OSHA. The changes include a new Whistleblower Investigations Manual that will update procedures and offer more detailed guidance for investigators. In addition, OSHA will restructure its operations so that the Whistleblower Protection Program will report directly to the agency’s assistant secretary. OSHA also plans to implement a more robust outreach program and more intensive training for its investigators. Finally, OSHA plans to hire 25 new investigators for the Whistleblower Protection Program.

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