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Lawmakers want to beef up whistleblower protection

By Dan Gearino Journal Des Moines Bureau

DES MOINES -- In the wake of a salary scandal revealed by a government employee, legislators said Thursday they hope to beef up the state law that protects whistleblowers.

The current law bans managers from retaliating against an employee who discloses wrongdoing. But the employee faces a time-consuming and costly process to use the law.

"It shoves all the burden on that employee and we want to improve that," said Senate co-president Jeff Lamberti, R-Ankeny.

Senate Republicans are working on a plan to increase the state staff and resources available to protect whistleblowers. Lamberti said this would likely be done through the Iowa Office of the Citizen's Aide/Ombudsman. Right now, a whistleblower needs to pay for his or her own lawyer and cannot invoke the state law until there is evidence of retaliation.

Lamberti is proposing that the state cover legal fees and get involved before there is evidence of retaliation.

Democrats want to take the proposal a step further. "If this is good enough for the public sector, it should be good enough for the private sector," said House Minority Leader Pat Murphy, D-Dubuque.

Murphy wants to expand protection to whistleblowers at private companies, if an employee provides evidence that the company is misusing a government contract or grant. Republicans said they are willing to consider the idea.

Lamberti said any new services would be limited to employees who come forward with solid evidence of wrongdoing. "It's not, and should not be, for people who are disgruntled and want to complain," he said.

The reason for the interest in whistleblowers is the ongoing investigation into high salaries and bonuses at a Des Moines-area jobs program. Kelly Taylor, a budget analyst for Iowa Workforce Development blew the whistle.

This led to the firing and resignation of top executives in state and local offices, while raising concerns that Taylor may face retaliation.

If the state expands protection for whistleblowers, state Ombudsman Bill Angrick is the person most likely to supervise the effort. To do so, the Legislature would need to reverse one of the main laws governing his office. "We are specifically prohibited from dealing with employment relationship matters," Angrick said. If that part of the law is changed, he said he thinks his office is a natural fit to oversee whistleblower matters.

Right now, his 14-person staff mainly handles complaints from citizens about government services. But ombudsman offices in other jurisdictions do offer the kind of services envisioned by lawmakers. Angrick said he had conversations in recent days with his counterparts in Nebraska, Nova Scotia in Canada and New South Wales in Australia, all of which deal with whistleblowers.