

PROTECTING HONEST AMERICANS ON THE JOB ACT OF 2006

WHEREAS the First Amendment protects speech on matters of public concern, and

WHEREAS employees are often in the best position to know what ails the agencies for which they work, and

WHEREAS the current patchwork nature of federal and state whistleblower protection laws do not adequately protect employee whistleblowers, and

WHEREAS the Congress of the United States has recently adopted realistic procedures necessary to protect employee whistleblowers, and

WHEREAS to ensure the effective and efficient operation of the United States government, and the effective enforcement of federal laws, employee whistleblowers must be adequately protected

BE IT ENACTED by the Senate and House of Representatives of the United States of America:

SECTION 1. SHORT TITLE.

This Act may be cited as the Protecting Honest Americans on the Job Act.

SECTION 2. WHISTLEBLOWER PROTECTION.

a) IN GENERAL - No employer, including, but not limited to, contractors, public or private corporations, subcontractors or agents of an employer, may discharge, demote, harass, blacklist or discriminate against any employee because that employee disclosed what the employee reasonably believes constitutes a violation of any federal law or a federal public health and safety requirement-

- (1) To a Federal regulatory or law enforcement agency; to any Member of Congress or any committee of Congress; or to a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct); or
- (2) has commenced, caused to be commenced, or is about to commence a proceeding, testified or is about to testify at a proceeding, or assisted or participated in or is about to assist or participate in any manner in such a proceeding or in any other action designed to enforce the laws of the United States; or
- (3) is refusing to violate or assist in the violation of a federal law, rule, or regulation or engage in any conduct which the covered individual reasonably believes constitutes a violation of any law, or which the employee reasonably believes constitutes a threat to the public health or safety.

(b) PROCEDURES – The process, procedures, and remedies with respect to prohibited acts under subsection (a) shall be governed by sections 1514(b), (c) and (d) of title 18, United States Code. A claim under this Act must be filed within one year of any alleged discriminatory action.

(c) DEFINITIONS.

- (1) Employer is defined as an employer under sections 2000e(b) and 2000e-16, of Title 42, United States Code;
- (2) Employee shall include any employee, contractor, subcontractor, agent or representative of any employer.