

# Whistleblower Retaliation: Significant Changes for Employers and Employees

Thursday, April 11, 2013

## References for M. Patricia Smith Presentation

- OSHA's Whistleblower Protection Program: <http://www.whistleblowers.gov>
- Other Whistleblower Protections enforced by the Department: <http://www.dol.gov/compliance/topics/whistleblower-other.htm>
- OSHA Whistleblower Rules: [http://www.whistleblowers.gov/regulations\\_page.html](http://www.whistleblowers.gov/regulations_page.html)
- Office of the Solicitor – Contacts: <http://www.dol.gov/sol/contacts>
- GAO 2009 Audit of OSHA Whistleblower Program: <http://gaonet.gov/assets/290/285189.pdf>
- GAO 2010 Audit of OSHA Whistleblower Program: <http://gaonet.gov/assets/310/308767.pdf>
- OSHA's Top to Bottom Review (2011): [http://www.whistleblowers.gov/report\\_summary\\_page.html](http://www.whistleblowers.gov/report_summary_page.html)
- OSHA Whistleblower Investigations Manual (2011): [http://www.osha.gov/OshDoc/Directive\\_pdf/CPL\\_02-03-003.pdf](http://www.osha.gov/OshDoc/Directive_pdf/CPL_02-03-003.pdf)
- ADR Pilot Program: [http://www.osha.gov/OshDoc/Directive\\_pdf/DIR\\_12-01\\_CPL\\_02.pdf](http://www.osha.gov/OshDoc/Directive_pdf/DIR_12-01_CPL_02.pdf)
- OSHA Whistleblower Protection Advisory Committee: <http://www.osha.gov/dep/oia/wpac.html>
  - Charter: [http://www.osha.gov/dep/oia/wpac\\_charter.html](http://www.osha.gov/dep/oia/wpac_charter.html)
  - Members: [http://www.osha.gov/dep/oia/wpac\\_members.html](http://www.osha.gov/dep/oia/wpac_members.html)
  - First Agenda: [http://www.osha.gov/dep/oia/wpac\\_agenda\\_01292013.html](http://www.osha.gov/dep/oia/wpac_agenda_01292013.html)
- VPP Guidance on Model Incentive Programs: [http://www.osha.gov/dcsp/vpp/policy\\_memo5.html](http://www.osha.gov/dcsp/vpp/policy_memo5.html)
- OSHA Field Memo on Incentives: <http://www.osha.gov/as/opa/whistleblowermemo.html>

Key:

- Links to websites with more information
- **Links to specific documents**

- **Norfolk Southern (Feb 2013):**  
[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=23694](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=23694)
- **Union Pacific (Feb 2013):**  
[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=23703](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=23703)
- **Union Pacific (March 2013):**  
[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=23703](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=23703)
- **FRA MOU:**  
[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=MOU&p\\_id=1125](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=MOU&p_id=1125)
- **OSHA BNSF Accord press release:**  
[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=23529](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=23529)
- **OSHA BNSF Accord:** [http://www.whistleblowers.gov/acts/bnsf\\_accord.html](http://www.whistleblowers.gov/acts/bnsf_accord.html)
- **New York Rules of Professional Conduct (See Rule 1.7):**  
[http://www.nycla.org/siteFiles/NYRulesofProfessionalConduct4109\\_362.pdf](http://www.nycla.org/siteFiles/NYRulesofProfessionalConduct4109_362.pdf)
- *Lawson v. FMR LLC:* <http://www.scotusblog.com/case-files/cases/lawson-v-fmr-llc/>
- *Vance v. Ball State:* <http://www.scotusblog.com/case-files/cases/vance-v-ball-state-university/>
- *University of Texas Southwest Med. Ctr. v. Nassar:*  
<http://www.scotusblog.com/case-files/cases/university-of-texas-southwestern-medical-center-v-nassar/>
- ***Greathouse v. JHS Security Inc.* (2d Cir.):**  
[http://www.dol.gov/sol/media/briefs/greathouse\(A\)-02-26-2013.pdf](http://www.dol.gov/sol/media/briefs/greathouse(A)-02-26-2013.pdf)
- ***Cumberland River Coal v. Howard* (3d Cir.):**  
<http://www.ca6.uscourts.gov/opinions.pdf/13a0093p-06.pdf>

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