



STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR

THE WHISTLEBLOWERS' PROTECTION ACT RSA 275-E

An employer cannot discharge, threaten, or discriminate against any public or private employee

- IF the employee, in good faith, reports or causes an alleged violation to be reported
- OR participates in an investigation, hearing or inquiry conducted by any governmental agency or any court
- OR the employee refuses to execute a directive which violates any law or rule adopted by this state or political subdivision of the United States.

ONLY if the employee first brought the alleged violation to the attention of a person with supervisory authority, unless the employee believes reporting to the employer is futile.

RIGHTS AND REMEDIES RSA 275-E:4

After the employee has made a reasonable effort to maintain or restore his/her rights through any grievance procedure or similar process available with the employer

And has filed the written complaint with the New Hampshire Department of Labor.

He/she may request a hearing with the New Hampshire Department of Labor, which can result in a judgment to order reinstatement, payment of fringe benefits, seniority rights, and injunctive relief would be available.

ADDITIONAL RIGHTS AND REMEDIES FOR PUBLIC EMPLOYEES ONLY RSA 275-E:8 and 9

Public employees [*of the state, counties or municipalities*] can issue complaints to the New Hampshire Department of Labor, who has the authority to investigate complaints or information concerning the possible existence of any activity constituting fraud, waste, or abuse in the expenditure of any public funds, whether state or local, or relating to programs and operations involving the procurement of any supplies, services, or construction by governmental entities within the state.

The identity of the person who filed the complaint shall not be disclosed without his or her written consent, unless such disclosure is to a law enforcement agency that is conducting a criminal investigation.

No governmental entity shall take any retaliatory action against a public employee who, in good faith, files a complaint under this section and the public employee shall be afforded all protections under RSA 275-E:2.

No governmental entity shall threaten, discipline, demote, fire, transfer, reassign, or discriminate against a public employee who files a complaint with the department of labor under RSA 275-E:8 or otherwise discloses or threatens to disclose activities or information that the employee reasonably believes violates RSA 275-E:2, represents a gross mismanagement or waste of public funds, property, or manpower, or evidences an abuse of authority or a danger to the public health and safety.

INSPECTION DIVISION
PO BOX 2076
CONCORD NH 03302-2076
TELEPHONE – (603) 271-1492 & 271-3176

David M. Wihby
Deputy Labor Commissioner

James W. Craig
Commissioner of Labor

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

Rev. 08/27/13