



## COMMONWEALTH OF VIRGINIA

### OFFICE OF THE STATE INSPECTOR GENERAL

March 19, 2018

Dear Fellow State Employee:

As Commonwealth of Virginia employees, we are expected to promote the highest level of ethics and principles in state government. If you have observed wrongdoing or abuse in a state agency, the Office of the State Inspector General (OSIG) wants to hear from you through the Whistle Blower Protection Act.

#### **Who's eligible?**

Originally only applicable to state government employees, the [Whistle Blower Protection Act](#) (WBPA) of 2009 now pertains to **all** citizens of the Commonwealth who make "good faith reports" of instances of wrongdoing or abuse committed by state agencies or independent contractors of state agencies.

#### **What qualifies as wrongdoing, fraud or abuse?**

An act of wrongdoing is a violation of federal or state law or regulations, or a violation of a formally adopted code of conduct or ethics that protects the interests of the public or its employees. Acts of wrongdoing and abuse include gross mismanagement; substantial misuse, destruction or gross waste of state funds or resources; excessive, extravagant or improper use of one's position or authority; or an act that causes substantial and specific danger to public health or safety. Fraud is defined as deliberate deception, often for benefit or gain, that may result in detriment to others or the Commonwealth, and includes false representation of facts through misleading statements, conduct or concealment of essential information.

#### **What is a "good faith report" of wrongdoing, fraud or abuse?**

A good faith report is a statement or testimony made truthfully and in good conscience, without ill intent or malice and with supporting evidence that a wrongdoing, fraud or abuse has occurred.

### **Did someone say, “reward?”**

In addition to strengthening state government, a claim with the Fraud and Abuse Whistle Blower Reward Fund could result in compensation for the whistle blower. Any Commonwealth citizen or employee who discloses information that leads to a **recovery** of at least \$5,000, may file a claim under the Fraud and Abuse Whistle Blower Reward Fund. The reward may be up to 10 percent of the actual recovered sum resulting from disclosure of the wrongdoing, fraud or abuse.

### **Is a whistle blower protected from retaliation?**

A whistle blower who makes a good faith report of wrongdoing, fraud or abuse is protected under § [2.2-3011](#) of the Whistle Blower Protection Act. Any reckless disclosures or disclosures known to be false, confidential by law or made with malicious intent are not deemed good faith reports and are not protected.

### **What are the Whistle Blower Protection Act reporting requirements?**

To be covered and potentially eligible for compensation under the Whistle Blower Protection Act, a Commonwealth citizen or state employee must report evidence of wrongdoing, fraud or abuse by a state agency. Anonymity and confidentiality are not guaranteed when filing a claim under the Fraud and Abuse Whistle Blower Reward Fund; those who file a claim must provide contact information. Individuals who wish to remain anonymous may instead choose to report information to the State Fraud, Waste and Abuse Hotline.

### **How do I report an allegation?**

Contact OSIG by:

1. Hotline: **(800) 723-1615** (toll-free within Virginia); make clear you are calling under the Whistle Blower Protection Act.
2. Web form: [Whistle Blower Program](#)
3. Email: [covhotline@osig.virginia.gov](mailto:covhotline@osig.virginia.gov)
4. Fax: **(804) 371-0165**
5. Mail:

Office of the State Inspector General  
Attention: Whistle Blower Protection Act  
Post Office Box 1151  
Richmond, VA 23218

For more information, visit [Whistle Blower Program](#) or call OSIG at 804-625-3268.

With your help, we can ensure Virginia state government runs efficiently, effectively and ethically.

Sincerely,

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Michael C. Westfall, CPA  
Acting State Inspector General