



WHISTLEBLOWER REPRISAL

(This card is used to facilitate instruction, questions to ask – answers ETC...
If the back is required – that's OK – but try to limit to one card for reference)

1. What is Whistleblower Reprisal?

- The taking of (or threatening to take) an **unfavorable personnel action**, or the withholding (or threatening to withhold) a favorable personnel action, **because** the member made, or was thought to have made a **protected communication**.

2. What is Military Whistleblower Protection?

- **No person** shall “**restrict**” a member of the Armed Forces from making lawful communications to a **Member of Congress** (or their staff) or an **IG**
- Defines “**chain of command**,” to include the **supervisory** and members of the service member’s **rating chain**
- DoD IG shall **investigate, or oversee** DoD Component IG investigations of allegations
- No investigation “**required**” when a member submits a complaint more than **1 YEAR** after becoming aware of the personnel action

3. Agency responsible for investigating WBR

Military WBR Complaints:

- Service **IGs will investigate military** complaints (allegations of Whistleblower Reprisal)
- **DOD IG** has **oversight** of Title 10 reprisal investigations
- **Military** members have the right to appeal directly to the Secretary of Defense

4. What is Protected Communication (PC)?

- **Lawful communications (written or verbal) made to:**
- President, Congress, DoD audit, inspection, investigation, or law enforcement organization
- Any person or organization or organization in **the chain of command; or any other person designated** pursuant to regulations or established administrative procedures to receive such communications (e.g. EO, Safety office, etc.), whether during open-door meeting or public forum
- **A court-martial proceeding**

5. What is an Unfavorable Personnel Action (UPA)?

- Poor/Late Performance evaluations
- Transfer or changes to duties or responsibilities
- Reenlistment / Separation proceedings
- Decisions concerning pay or benefits
- **Awards, promotions, or training**
- **Disciplinary or other corrective actions**
- *Referrals for Mental Health Evaluation (MHE)*
- *Limited access to: weapons/classified/flying etc.*