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# Whistleblower 101: Three lessons on how to blow the whistle on wrongdoing

BY AMY BLOCK JOY

**I**t's not every day that an employee stumbles upon something that seems not quite right. Often, the issue in question is not clearly wrong, something more in the grey area. This leaves the employee unsure of what to do. They might even begin to question what they observed. Ethic surveys have reported that 41% or more of employees who witness wrongdoing look the other way.<sup>1</sup> It's easy to do nothing. But is it the right thing to do?

## Lesson 1: When to blow the whistle

Blowing the whistle is the right thing to do if you want to help your organization stop wrongdoing and avoid a disaster. In my case, in 2006, I discovered a questionable purchase order that raised a red flag. Because the issue involved a trusted associate, I really hoped that my suspicions were wrong and that the associate would provide a reasonable explanation. However, when I spoke to the associate in front of my supervisor, I became even more troubled by the flimsy explanation provided.

She admitted she'd used my program funds to purchase a DVD camcorder for herself. She was going to return the item to the store or pay back the money to the institution. My boss told me that \$1,400 wasn't that much money. She claimed it was a one-time



error in judgement. Was returning the goods or paying it back sufficient?

The policy at my workplace required me to report allegations to my supervisor—which I had done. My supervisor, a bigwig at my institution, told me that he was the decision-maker, that my concern “was no big deal,” and that “everyone does it,” and he forbid me to take any further action other than to monitor the associate. I became fearful when he told me: “Others are complaining about you.”

Turns out, my workplace policy didn’t tell me what to do if my supervisor ignored my report.

His intimidation didn’t stop me from becoming more and more troubled. With my conscience working overtime, I had questions galore. If I ignored my supervisor’s decision and reported my concerns to someone else, I was sure to get into hot water. I had no idea what action, if any, I should take.

A day or so later, I asked my supervisor to report the incident up the chain of command. He steadfastly refused.

I wanted to ask my organization to help, but I had no idea whom I could trust. Over the 28 years at my organization, I’d never received training or education on compliance matters or even a course on my organization’s commitment to ethics. How does someone report allegations of possible fraud without getting into trouble?

When faced with difficult challenges, I did have one skill that I’d used over the course of my career. I wasn’t perfect, but I had confidence to admit my mistakes. This life skill wasn’t rocket science, nor did I have a professional degree or certificate in good judgement. What I had was the ability to imagine how I wanted to see myself at the end of the day. And during that momentary insight, the person I trusted the most was *me*.

I managed to find more evidence and documented every incident that I thought might tip the scale in the direction of reporting. Eventually, I discovered her travel fraud. After collecting a month’s worth of questionable travel expense vouchers, I returned to my





supervisor, demanding he report all my allegations up the chain of command. When he refused, I blew the whistle.

Institutions need to make ethics reporting a priority. My case took four years of investigative work and I am proud to have worked with the investigative authorities in my organization. The fraud was stopped and corrective action was taken to fix the loopholes that wrongdoers had used in this \$2.3 million federal case. Turns out my supervisor was involved in the fraud scheme.

I applaud whistleblowers and reporters who take significant personal risks to help their organizations. I am often asked if I felt it was worth it. My answer is an unequivocal—Yes! Ethical employees want leaders who make ethics a priority and are role models for doing what's right. Building an ethical culture keeps the workplace safer, improves employee morale, and increases institutional credibility and integrity.

## Lesson 2: Five steps to stop retaliation

Employee retaliation is, all too often, a predictable consequence following the exposure of wrongdoing. A major threat to organizations and employees everywhere, retaliation is a second form of misconduct, often costlier than the original wrongdoing. Research has identified retaliation as a barrier to ethical reporting, credibility, and institutional integrity.

Surveys from the Ethics Resource Center have identified a significant number of retaliatory activities, including intimidation, harassment, demotion, “given the cold shoulder,” relocation, reassignment, pay cuts, alienation, verbal abuse, and physical



harm to person or property. Many people who report suspected wrongdoing are eventually fired after finding themselves on a temporary leave.

These adverse activities parallel my own experience after blowing the whistle on fraud in my workplace. Over the course of four years of investigations, I discovered a pattern. Every time the fraud was exposed, either to the workforce or the public, retaliation followed. In fact, on the very day that I blew the whistle, my office was broken into and ransacked. A few days later, a high-level official came to my home and handed me a letter. *I was under investigation for misuse of government funds!*

As the word spread regarding my whistleblower report, colleagues, co-workers, and staff stopped all communication. Following front-page media exposure, things got dicey. Two dozen of my colleagues distributed a petition to remove me from office. When my car was vandalized in the campus parking lot, I called the police.

As the monetary loss from the fraud increased, my safety and work environment plummeted. Trying to ignore all the negativity, I kept waiting for the release of the auditor's findings. I hoped that once my colleagues and others discovered that my fraud allegations were valid, the retaliation would stop. It didn't. Instead, the retaliation intensified immediately after the fraud findings were released to my organization. The result of this release? I was falsely accused of violence in the workplace by three high-level officials at the institution.

**I DOCUMENTED EVERY RETALIATORY ACTIVITY, STOOD MY GROUND, SURVIVED THE ONSLAUGHT, AND LEARNED A VALUABLE LESSON ABOUT WORKPLACE RETALIATION.**

I documented every retaliatory activity, stood my ground, survived the onslaught, and learned a valuable lesson about workplace retaliation. These tactics are used to try to silence and discredit the individual who exposed the wrongdoing. To reduce the danger of workplace retaliation spiraling out of control, organizations need to investigate. Lucky for me, my organization promptly launched an investigation into my complaint of false allegations of workplace violence. Six months later, my retaliation complaint was substantiated.

The retaliation tactics used by some high-level employees at my institution were

done to try to make me leave the job I loved. The kinds of tactics employed are usually to discredit the reporter in order to discredit their message. Although in my case, I didn't bolt and, in fact, kept my job and my salary, the retaliation did have a major impact on my future. Retaliation often results in irreversible reputational damage.

If an organization wants employees to report wrongdoing, they need to protect the people who report. How can this be done? First, send a clear message that retaliation will not be tolerated by the institution. Period. After that, these five steps, taken collectively, are critical:

1. Set up a hotline for anonymous and confidential reporting.
2. Educate the workforce on whistleblower policies and protections.
3. Train managers and supervisors to recognize and enforce these policies.
4. If retaliation does occur, deal with it head-on by promptly launching an investigation. Use an outside investigator to keep things balanced. If substantiated, make the consequences severe.
5. Demonstrate a commitment to ethics by making it a priority in the workplace.

Taking these steps will help protect the institution's most valuable asset—the people who work there.

### Lesson 3: Whistleblower etiquette

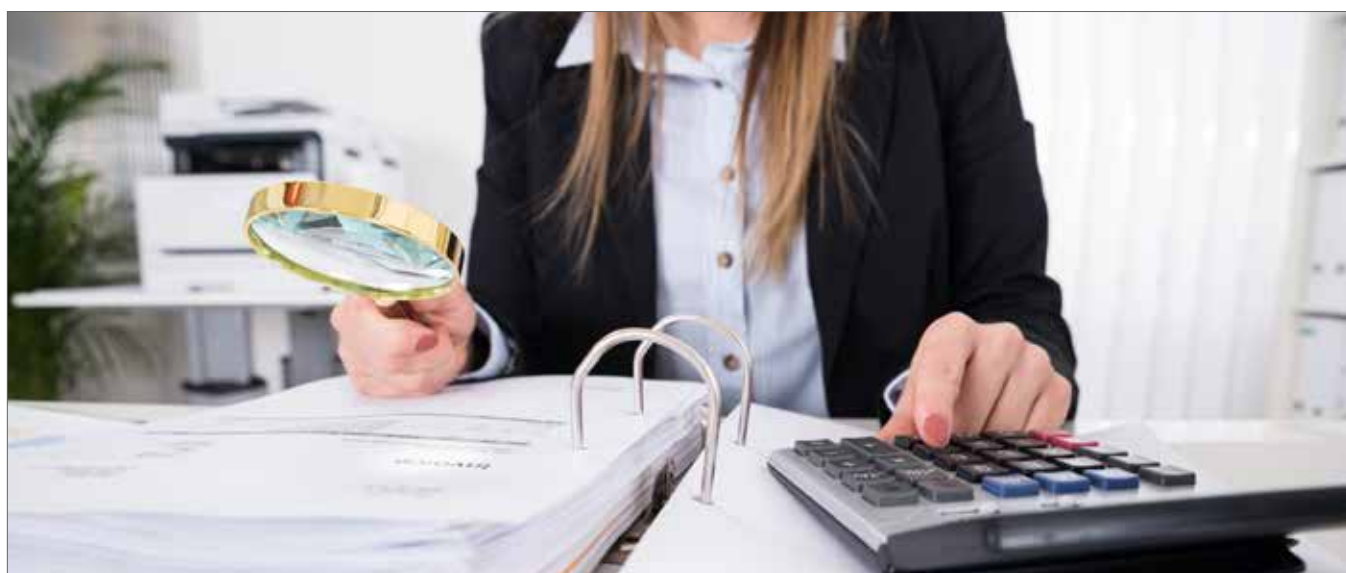
Investigative etiquette is not something an employee will find in the company policy manual. Whether you've reported alleged wrongdoing by a co-worker, are embroiled in controversy with a higher-up, or have blown the whistle on possible criminal activity, knowing the dos and don'ts of appropriate conduct may help you transverse the long and frightening road ahead.

First and foremost, stay calm! Reporting wrongdoing is stressful. Besides having the legitimate concern that the investigative authorities may not take the report seriously, you will feel alone and isolated. Don't panic: there is positive news in the process. In fact, the investigative process itself may be the first indicator that your institution is ethically minded. For me, the whole investigative experience was critical in regaining trust in my organization. Because the investigators responded promptly to my concerns and reached out to me right at the start to

make sure that I was treated fairly, I began to feel safe again.

Second, be reasonable. This isn't as easy as it sounds. The feeling of outrage may be hard to contain. Frustration is unrelenting. Resist the temptation to become angry, bitter, accusatory, or to speculate. Maybe you've heard some rumors that you are concerned about. In my case, a colleague told me I was going to be fired. Report all information that you see and hear in writing to the investigators. Document what you've heard, but stay realistic. Rumors aren't facts and that they may not be true.

Beware of the desire for instant gratification! Unlike television shows where the case is solved in one hour, the real-life path to justice can be painfully slow. While you wait for the fraud investigation to be completed, refocus your energy on being productive at work. Do the best job you can, because this will help you over the long haul. Try to stay positive and attend all activities. Believe me, it is harder for people to gossip when you're in



the room! Being visible in the workplace will keep you positively occupied while the experts do their job.

Third, be open and honest. As a reporter, your credibility is as essential to the case as the information you provide. Answer questions as openly as possible. Be sure to communicate promptly any concerns you have about your safety. If you believe you are a target of retaliation, document the activity in writing to the investigative contact person. Do not, for any reason, respond in kind. Take the high road—the more you refuse to become angry, the better you will feel about yourself throughout the process.

Fourth, stay the course. Don't be surprised if you find yourself being under scrutiny. In my case, immediately after I blew the whistle, the alleged fraudster blew the whistle on me! She claimed that I'd misused government funds. Initially shocked by the turn of the tables, I regained my composure by providing documentation that the allegations were false. In the end, you will be judged by how well you behaved during the investigation.

And fifth, keep communications open. You've played a significant role in the investigation by providing critical information. Congratulate yourself and let the experts do their job. If you find additional information, contact the investigators. Don't try to collect the evidence yourself. For those who used the hotline, keep in contact with the hotline service using their reporting instructions. Be sure to communicate any concerns regarding your identity or your safety. Remember, the institution's reputation is also being tested—stay true to yourself.



## Conclusion

These lessons may seem easy to those who've never been on the hot seat. Being calm, reasonable, open, and honest following the exposure of wrongdoing will help the reporter gain understanding of the importance of the investigative process. This understanding will be rewarding if the institution is listening. Remember your primary goal as the reporter is to help your organization. To that end, this may be the most unforgettable journey of your life, so "always take the high road." ■

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## ENDNOTE

- 1 Ethics Resource Center: National Business Ethics Survey of the U.S. Workforce (NEBES, 2013). *Ethics & Compliance Initiative*, 2014. <https://ethics.org/ecihome/research/nbes/nbes-reports-2013>