

AmeriCorps Dismisses Whistleblower Complaint Due to Lack of Evidence

Closed 03/21/22

An AmeriCorps grantee staff member (“Complainant”) alleged that management at the grantee held up the Complainant’s promised promotion due to the suspicion that s/he disclosed allegations of questionable financial practices to AmeriCorps OIG, and that the perceived disclosure prompted an audit and subsequent investigation of the grantee. AmeriCorps OIG deemed the allegation sufficient to constitute a claim of retaliation for engaging in protected whistleblower activity under 41 U.S.C. § 4712, requiring the OIG to investigate the matter.

AmeriCorps OIG reviewed documents and communications obtained from various sources and interviewed current and former grantee employees. Management at the grantee claimed that they supported the alleged whistleblower’s promotion, but could not follow through with the promotion until AmeriCorps OIG completed its audit and investigation. AmeriCorps OIG issued a report to AmeriCorps summarizing the evidence obtained during the investigation.

Agency/Administrative Actions

AmeriCorps reviewed the AmeriCorps OIG report and issued a Memorandum and Order that found:

- There was jurisdiction to adjudicate the complaint and order relief if necessary;
- The National Defense Authorization Act protects “perceived whistleblowers” as informed by the Whistleblower Protection Act (WPA); and
- The Complainant failed to show by a preponderance of evidence that s/he was protected as a perceived whistleblower.

AmeriCorps did not substantiate the complaint or order relief due to the lack of evidence demonstrating that grantee management perceived the Complainant as a whistleblower.

Case ID 2021-009