

## FEDERAL FALSE CLAIMS ACT ANTI-RETALIATION PROVISION

### 31 USC 3730(h)

- Applies if you are fired, demoted, or otherwise discriminated against for furthering an investigation into false claims against the government
- Your actions need not be in connection with an actual or potential FCA suit; also protects steps taken to remedy the misconduct through methods such as internal reporting to a supervisor or company compliance department and refusals to participate in the misconduct that leads to false claims.
- Also protects individuals from employment retaliation when “associated others” made efforts to stop FCA violations, to address indirect retaliation by, for example, firing a spouse or child of the whistleblower
- Protects contractors and agents as well as employees
- 3 year statute of limitations for anti-retaliation claims
- Remedies under anti-retaliation provision
  - *Double back pay with interest*
  - *Loss of future earnings*
  - *Attorneys’ fees*
  - *General damages including emotional distress and harm to reputation*
  - *Reinstatement*