

David Dubberly and Brittany Clark Published in Law360 on Employer's Whistle Blower Risks

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Practices

Employment & Labor Law

Media Mention

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Employment and labor law attorneys David Dubberly and Brittany Clark were recently published in *Law360*'s expert analysis section.

An expansion of the article originally published by Nexsen Pruet, "A Refresher on Minimizing Employers' Whistleblower Risks" details OSHA's investigative role and authority in whistleblower cases, employer defenses and potential remedies, and best practices to minimize the risk of claims.

Excerpt

On Sept. 1, 2022, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) issued a news release claiming that a financial services employer "violated the whistleblower protection provisions of the Sarbanes-Oxley Act," or SOX, by terminating the employment of a manager who alleged financial misconduct. ^[1]

According to OSHA, it had ordered the employer to pay the employee more than \$22 million as a result of the violation.

However, the news release is misleading because OSHA does not have authority to order the payment of a proposed award in a whistleblower case.

Read the full article here.