

Cherokee Nation Code Annotated

Title 28: Ethics

Chapter 4: Whistleblower Protection Act

§ 404. Protected activity

Cite as: 28 CNCA § 404

An employer shall not take any retaliatory action against an employee because the employee does any of the following in respect to Cherokee Nation or entities doing business with the Cherokee Nation:

1. Discloses, threatens to disclose or is about to disclose to a supervisor or to a public body, an activity, policy or practice of the employer, a co-employer or another employer, that the employee reasonably believes is in violation of a law, or a rule or regulation promulgated pursuant to law;
2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law by the employer or another employer;
3. Discloses, threatens to disclose or is about to disclose to a supervisor or to a public body or any law enforcement agency, an activity, policy or practice of the employer, a co-employee or another employer, that the employee reasonably believes is incompatible with clear mandate of public policy concerning the public health, safety or welfare or protection of the environment;
4. Assists, or participates in a proceeding to enforce the provisions of this law, or;
5. Objects to, opposes or refuses to participate in any activity, policy or practice which the employee reasonably believes:
 - a. Is in violation of a law, or rule or regulation promulgated pursuant to law;
 - b. Is fraudulent or criminal, or;
 - c. Is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.
6. Protected activity does not include false information provided by the employee.

Historical Data

LA 13–04, eff. April 19, 2004. Amended LA 20–16, eff. August 17, 2016.