Article 14.

Protection for Reporting Improper Government Activities.

§ 126A-14-1. Statement of policy.

(a) It is the policy of the State that employees shall have a duty to report verbally or in writing to their supervisor, agency head, or other appropriate authority, evidence of activity by an agency or an employee constituting any of the following:

(1) A violation of State or federal law, rule, or regulation.

(2) Fraud.

(3) Misappropriation of State resources.

(4) Substantial and specific danger to the public health and safety.

(5) Gross mismanagement, a gross waste of monies, or gross abuse of authority.

(b) Further, it is the policy of this State that employees be free of intimidation or harassment when reporting to public bodies about matters of public concern, including offering testimony to or testifying before appropriate legislative panels, or providing statements or testimony to agents and employees of legislative panels duly appointed by the President Pro Tempore of the Senate or the Speaker of the House of Representatives designated to conduct inquiries on behalf of a legislative panel. (2026-40, s. 1.)

§ 126A-14-2. Protection from retaliation.

(a) Agency heads and other employees exercising supervisory authority shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because of any of the following:

(1) The employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, any activity described in G.S. 126A-14-1, unless the employee knows or has reason to believe that the report is inaccurate.

(2) The employee has refused to carry out a directive that in fact constitutes a violation of State or federal law, rule, or regulation or poses a substantial and specific danger to the public health and safety.

(b) Employees shall not retaliate against another employee because of any of the following:

(1) The employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, any activity described in G.S. 126A-14-1.

(2) The employee has refused to carry out a directive that may constitute a violation of State or federal law, rule, or regulation, or poses a substantial and specific danger to the public health and safety.

(c) The protections of this Article apply to employees who report any activity described in G.S. 126A-14-1 to the State Auditor as authorized by G.S. 147-64.6B, to the Joint Legislative Commission on Governmental Operations as authorized by G.S. 120-75.1, or to a legislative committee as required by G.S. 120-19. (2026-40, s. 1.)

§ 126A-14-3. Civil actions for injunctive relief or other remedies.

(a) Any employee injured by a violation of G.S. 126A-14-2 who is not subject to Article 8 of this Chapter may maintain an action in superior court against the person or agency who committed the alleged violation within one year after the occurrence.

(b) Any claim arising under Article 21 of Chapter 95 of the General Statutes may be maintained pursuant to the provisions of that Article only and may be redressed only by the remedies and relief available under that Article. (2026-40, s. 1.)

§ 126A-14-4. Remedies.

(a) A court, in rendering a judgment in an action brought pursuant to this Article, may order any one or more of the following:

(1) An injunction.
(2) Damages.
(3) Reinstatement of the employee.
(4) Payment of back wages.
(5) Full reinstatement of fringe benefits and seniority rights.
(6) Payment of costs.
(7) Reasonable attorneys' fees.
(8) Any combination of the subdivisions in this subsection.

(b) If an application for a permanent injunction is granted, the employee shall be awarded costs and reasonable attorneys' fees.

(c) If in an action for damages the court finds that the employee was injured by a willful violation of G.S. 126A-14-2, the court shall award as damages three times the amount of actual damages plus costs and reasonable attorneys' fees against the individual or individuals found to be in violation of G.S. 126A-14-1. (2026-40, s. 1.)

§ 126A-14-5. Notice of employee protections and obligations.

Employing agencies shall post notice in accordance with G.S. 95-9 or use other appropriate means to keep employees informed of their protections and obligations under this Article. (2026-40, s. 1.)

§ 126A-14-6. Communications with members of the General Assembly.

An employee's right to speak to a member of the General Assembly at the member's request shall not be directly or indirectly limited by the employee's supervisor or by any policy of the employing agency. (2026-40, s. 1.)