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# Retaliation: A predictable and costly consequence of reporting wrongdoing

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By Amy Block Joy

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### What is retaliation?

The verb *retaliate* means “to repay in kind.”<sup>[1]</sup> Retaliation is revenge, reprisal, retribution, or getting even (e.g., an eye for an eye). The Ethics Resource Center defines retaliation as “...a negative consequence experienced by an employee for reporting observed misconduct.”<sup>[2]</sup> The Nolo Plain-English Law Dictionary uses a similar definition: “punishment of an employee by an employer for engaging in legally protected activity.”<sup>[3]</sup>

The negative consequence or punishment is typically an adverse employment action: getting fired, demoted, or laid off; reduced salary or reduced time; reassignment, relocation, or being transferred; and forced resignation. Other harmful results include reputation damage, property damage, and physical injury; exclusion from decision-making and meetings; and abuse, harassment, and/or humiliation from supervisors and coworkers. Many also suffer from failed advancement, negative evaluations, and heavy-handed monitoring.

My firsthand experience of retaliation was terrifying. After I reported allegations of workplace wrongdoing, my coworkers, colleagues, and supervisors had one goal: to keep me quiet.<sup>[4]</sup>

### Reporting wrongdoing

In February 2006, while on the faculty at a major public institution where I’d been employed for 28 years, I discovered a questionable purchase.<sup>[5]</sup> Having no training on how to handle allegations of workplace wrongdoing, I relied on my own moral compass. I discovered this purchase in my office files. As the director of a \$14 million poverty program, I had a room full of file cabinets.

The document, found in a red folder, had all the hallmarks of wrongdoing. It was approved by a manager who didn’t have approval authorization. Other red flags: a vague description (Canon Optura 600) and expensive. In addition, the vendor, Fry’s Electronics, seemed out of place for my program. And more alarming was the manager’s handwritten instructions: “Pick up from Vendor.”

I called the vendor and discovered that the item was a camcorder that produced DVDs. This was an inappropriate purchase and appeared to be for personal use. Initially stunned by the manager’s apparent dishonesty, I wasn’t sure what to do. I did know that my responsibility was to follow policy and report the allegation to my supervisor.

I prepared a non-accusatory letter and arranged a meeting with her and my supervisor, the department chair. This way I was following policy and also allowing the manager to respond. Maybe there was a reasonable explanation.

I will never forget that March meeting. After I read my short letter out loud to the manager and the chair, I asked

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her one question: “Where’s the camcorder?”

“It’s in my garage,” she answered.

Stunned by her confession, I stated, “Using program funds for personal benefit is considered misuse.” After letting that message sink in, I reported that she must pay back the money and be monitored for eight months with a revised position description.

I reminded her that she lacked approval authority. Turning to the chair, I expected him to advise her about disciplinary action. He was silent. After the manager left, he became enraged and blew up: “This is no big deal. Happens all the time. You’re too rigid. I thought she was your friend. People are complaining about you.”

The next day, I gave the chair an incident report (my letter, the evidence, her confession, and a copy of her \$1,400 repayment check). When I requested that my report be distributed to the dean, he refused and told me to keep quiet.

“Everything about this incident,” he snarled, “will go into my personal vault.”

Things got better. The manager took full responsibility and begged me not to cash her check until she had the money. I believed she was stalling, hoping that the incident would blow over. When the chair suggested that I return her check and use his departmental funds to pay back the program, I prepared another letter. My second letter was a warning that embezzlement was grounds for termination. In June, I sent a draft to the chair for review. Suddenly, the funds were found. I deposited her check at the university’s cashier office.

The manager worked hard to win me back. By finalizing our program plan early, I began to relax and took a short vacation. However, when I returned, she’d approved another purchase. Even though it was legitimate, I was shocked that no one, including the new department chair, had stopped her. I prepared a third warning letter, stripping her of all supervisory duties. That very evening, I heard from a staff member that she was falsifying travel, collecting \$800 a month for two years.

The next day, I conducted an audit at accounts payable and found evidence that her fabricated travel was approved by the former chair. I took copies to the new chair with documentation that she was on campus. Because most of her fraudulent travel included trips that I’d taken, I had meeting minutes to back me up.

During our short meeting, he confided that many were suspicious. Stunned, I asked if he knew she was fabricating travel. He nodded, and we began to argue.

“This is serious,” I said. “We need to report the fraud to the dean immediately.”

He flatfootedly refused, indicating he wanted to talk with her and the former chair. He then threatened me: “You could get in big trouble should you act on your own.”

That evening I used the university’s whistleblower and protection from retaliation forms to report my allegations of wrongdoing. I sent my report to the new chair, the dean, the human resources director, the provost, and the chancellor. I’d no idea that I was unleashing a firestorm of retaliation. I was following my institution’s policy to report serious wrongdoing.

On August 25, 2006, I became a whistleblower.

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