

Whistleblower: Fraud and Academic Misconduct

Incorporated by reference, as if fully set forth herein, are all materials that have been delivered to UCLA, including but not limited to those sent by certified mail, email correspondence, and any supplemental submissions previously acknowledged or referenced in related communications or responses related to the common scheme without limitations for knowledge, intent, motive, and pattern of human behavior among other evidentiary and factual reasons without limits.

I, Harout Gulesserian, make no waivers or admissions and expressly reserve all rights, without limitation, to amend, revoke, modify, or supplement any and all provisions of this complaint, particularly as additional evidence is discovered or becomes available.

Harout K. Gulesserian

Date of original Submission: May 5th, 2025

Supplemented May 23, 2025

Submitted by:

Harout K. Gulesserian

Date of Submission: May 23, 2025

Transmitted via email and certified mail

This complaint is based on, but not limited to, the following causes of action and protected classes without limitations:

1. Whistleblower
2. Whistleblower Retaliation
3. Discrimination on the Basis of without limitations:
 - Race
 - Ancestry
 - National Origin
 - Physical Disability
 - Mental Disability
 - Genetic information
 - Medical or Healthcare-Related Conditions
 - FMLA (Family and Medical Leave Act) Rights
 - FMLA Retaliation
 - Whistleblower
 - Reasonable Healthcare Accommodations
 - Reasonable Healthcare Accommodation Retaliation
 - Wage and hour retaliation and discrimination

+ the discrimination, harassment, and retaliation thereof
4. The Exercise of Rights Under Federal and State Laws without limits
5. Any Other Protected Class or Claim as Stated in the Complaints or Relevant Legal Framework without limits

The complainant, Gulesserian, makes no admissions and expressly reserves all rights. This document does not constitute a waiver of any claims, causes of action, or legal theories. The complainant reserves the right to amend, supplement, modify, clarify, or withdraw any part of this filing as more evidence or circumstances arise.

WHAT IS WHISTLEBLOWER REPORTABLE

FRAUD IS WHISTLEBLOWER REPORTABLE

Violations of UCLA Academic Integrity (UCLA Policy 993) among other University Policies, Procedures, State, and Federal Laws, inter alia, are whistleblower reportable

1

SCHEME TO DEFRAUD

a deliberate plan to deprive another of **money, property, or honest services** through misrepresentation or deception.

2

MATERIAL MISREPRESENTATION OR OMISSION

Involvement of false **statements** or **withholding key facts** that are crucial in influencing decisions or actions of the victim

3

INTENT TO DEFRAUD

requires that the defendant acted **knowingly and willfully**, with the purpose of deceiving or cheating another party.

4

RELIANCE

showing that a **victim relied on the misrepresentation** strengthens the case by demonstrating real-world consequences and breach of trust.

5

USE OF INTERSTATE WIRE OR MAIL COMMUNICATIONS

Under **18 U.S.C. § 1343 (Wire Fraud)** and **§ 1341 (Mail Fraud)**, it is a federal crime to use **interstate wire or mail communications** to further a scheme to defraud.

6

RESULTANT HARM OR RISK OF HARM

To constitute fraud, the scheme must cause **actual harm** or pose a **significant risk of harm** to one or more victims.

Attached and incorporated by reference is evidence establishing and proving without limitations the above #'s 1 through 6

Admission Evidence

BN

BENNETT NOVITCH

Re: SB

To: Harout Gulesserian

October 2, 2023 at 3:08 PM



Getting back to the idea about publishing the protocol, if this pans out, and the effects are reproducible and applicable to other cell lines, there will be a few things to assess if we wanted to publish. These include:

1. Are the effects of SB-590885 related to B-Raf signaling, or something else? This would entail testing other inhibitors of B-Raf, as well as downstream effectors of B-Raf including MEK (via MEK/ERK inhibitors like PD98059 and PD0325901), or maybe something upstream like FGF receptor inhibitors like PD-173074. There was a paper that came out in 2022 arguing that treatment of feeder-free hPSC with PD-173074 can allow feeder-free cells to make organoids ([https://www.cell.com/science/pdf/S2589-0042\(22\)01412-2.pdf](https://www.cell.com/science/pdf/S2589-0042(22)01412-2.pdf)). But all of the prior experiments have focused on adding inhibitors to the undifferentiated hPSC, not during the organoid formation steps.

2. What effects are seen in organoids treated with nothing, SB-590885, and possibility other inhibitors (like SB-431542)? This would involve collecting organoids at different time points after drug additions (1 day, 3 days, 9 days, 18 days) for protein extracts and doing western blots for signs of different pathway activations (i.e. pMEK1/2 as a readout of B-Raf activity, pERK1/2 for activation of MAPK signaling, pSMAD1/5/8 for BMP signaling, pSMAD2/3 for TGFbeta signaling, etc). We could also collect cells for RNA-Seq to identify downstream genes and molecular pathways that are changing. Single cell-seq also possible but a much more expensive route.

I would not engage on 1 except to see about how SB-590885 compares to SB-431542, but for 2, you might want to think about collecting some organoids at different time points for both RNA and protein collection. One possibility might be to use a kit like this one: <https://www.qiagen.com/us/products/discovery-and-translational-research/dna-rna-purification/multianalyte-and-virus/allprep-dnamaprotein-mini-kit> which would allow collection of a common sample which can be fractionated into DNA, RNA, and protein for downstream analysis. I've never actually used this kit to know how well it works, but I presume it's not so different from the other methods that we use. This could also be done as parallel samples prepared for RNA collection as we normally do and protein either by adding some protein extraction buffer to the cells or snap freezing and storing at -80°C for later processing.

Probably we should wait until we see how well these methods reproduce, but happy to talk about laying out some of the analysis above.

The one factor I'm not yet sure of is how to introduce the use of SB-590885. Calling it a mistake does not add confidence, and it would be better to come up with some rationale based on other experiments like the idea that suppression of FGF-MEK signaling helps with organoids. This may take some crafting of a suitable narrative.

Bayh-Dole should have reported in 2 months – shows he is aware

Day 1 of Fraud:
Change the Narrative and not to report to the government

10/2/2023

BN

BENNETT NOVITCH

Re: Delays

To: Harout Gulesserian, Cc: Mark Lucas

April 15, 2024 at 9:56 AM

[Details](#)



Siri found new contact info Bennett Novitch bnovitch@ucla.edu

[add...](#)

Hi Harout,

Your response has raised a number of concerning allegations. We will now need to have a discussion mediated by our departmental CAO Mark Lucas, who I have cc'd on this message, so that we can once and for all set the record straight as to what I am asking of you, and for you to air your concerns about me and the positions that I am taking.

I will reiterate once more and in very plain terms - what I am asking is for you to do is assist members of my laboratory in their experiments to best achieve the goals of our research. You are specifically paid from funds that we have received from NIH - funded by the American people - to support these research activities. As a staff research assistant, it is part of your job requirement to assist others. At this moment in time, people in the laboratory are encountering difficulties in achieving their goals, and your alternative cell culture methods could potentially help them overcome these bottlenecks. If you continue to refuse to help members of the laboratory in their research efforts, I will have no choice but to conclude that you no longer wish to do your job. This would sadden me greatly.

Please note that none of these concerns affect our previously discussed plans to pursue an invention report submission regarding your serendipitous finding about a small molecule that may improve brain organoid formation and development of a cell culture protocol (based on previous work from my laboratory) that maximizes its impact. You will get credit for your discovery and I will continue to be enthusiastic about working with you on experiments to determine the mechanisms by which the molecule works. However it is essential to also assess whether the positive benefits of this molecule can be extended to improving problematic cell lines. This would be a major advance for the lab, reinforce the importance of your finding, and further our research productivity. Everyone would win in this scenario. It is inexplicable to me that you are continuing to be an obstructionist on this point and are endangering our previously good working relationship and raising tensions across lab members.

I would also like to clarify that our obligations are not to TDG and its leadership, it is to the NIH, the American taxpayer and patient needs. TDG's primary role is to provide a service to our University in helping us commercialize ideas and tangible property. The University does not mandate use of their services, and they have no authority over our research.

Mark Lucas is unfortunately out of town at a conference this week, so the earliest that we could have this mediated meeting will be Monday April 22. I would like to put forth a suggested time of 9:00 am if it works for Mark too. Please let me know if this time is acceptable.

Ben

Bennett Novitch, Ph.D.
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Broad Center of Regenerative Medicine & Stem Cell Research
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Email: bnovitch@ucla.edu

4/15/2024
Acknowledgement of
Gulesserian's
accidental,
serendipitous finding

Failure to report to the
NIH Novel Accidental
serendipitous
Gulesserian discovery

RESULTANT HARM OR RISK OF HARM

To constitute fraud, the scheme must cause **actual harm** or pose a **significant risk of harm** to one or more victims.

What Happened:

The PI's fraudulent actions caused **real and widespread harm**, not just to an individual, but to the **integrity of the research system** and the institutions relying on it. This includes:

- **Harm to Gulesserian:**
 - Denied rightful credit, authorship, and reporting rights.
 - Lost potential professional advancement and recognition.
 - Faced retaliation after attempting to report the misconduct.
- **Harm to UCLA:**
 - As defined in **Policy 993**, the university's core mission is built on research integrity.
 - The PI's dishonesty violates this principle and damages UCLA's credibility and compliance posture.
 - Undermines the integrity of internal systems (e.g., promotion, technology transfer, publication).
- **Harm to NIH and the Federal Government:**
 - Violated the **Bayh-Dole Act** and NIH reporting obligations.
 - Jeopardizes UCLA's standing as a trustworthy steward of federal research funds.
- **Harm to the Public and Stakeholders:**
 - Erodes public trust in the research process.
 - Misuses taxpayer-funded resources by distorting the outcomes and ownership of federally supported discoveries.

Why This Matters:

UCLA Policy 993 identifies these stakeholders as central to the mission of academic honesty and scientific advancement. When a professor in a position of authority commits fraud, it puts the **entire research ecosystem at risk**—from students to funders to the public.

This is not hypothetical harm. It is **actual damage** to reputations, careers, public trust, and the policies that hold institutions accountable.

USE OF INTERSTATE WIRE OR MAIL COMMUNICATIONS

Under **18 U.S.C. § 1343 (Wire Fraud)** and **§ 1341 (Mail Fraud)**, it is a federal crime to use **interstate wire or mail communications** to further a scheme to defraud.

What Happened:

In this case, the fraudulent scheme was advanced through the **use of email**—a form of interstate wire communication. These emails were used to:

- Instruct others to **change the narrative** surrounding the invention,
- Suppress required reporting,
- Coordinate actions and schemes that misrepresented the invention's origin and authorship.

Although the emails were sent within the university system, they were transmitted via **interstate digital networks**, and **email servers used by UCLA are not confined to California**. This means the communication traveled across state lines, satisfying the **interstate element** of federal wire fraud statutes.

Why This Matters:

Even a single email used to further a fraudulent scheme—if sent or received across state lines—can trigger **federal jurisdiction** under wire fraud law. The PI's use of email to orchestrate and conceal misconduct falls squarely within this legal framework.

RELIANCE

showing that a **victim relied on the misrepresentation** strengthens the case by demonstrating real-world consequences and breach of trust.

What Happened:

The PI occupies a position of trust within the academic and federally funded research system. As a **university professor and principal investigator**, he is not only a researcher but also a **leader** and **representative** of the university's integrity.

We **submit** that multiple parties **relied** on his honesty in reporting the origin and nature of the invention:

- **UCLA:** Under **Policy 993**, faculty have a duty to uphold research integrity, transparency, and candor. The university relies on accurate disclosures to protect its academic mission and to fulfill its obligations to funding agencies.
- **NIH and the Federal Government:** These entities rely on investigators to report inventions truthfully, especially under frameworks like the **Bayh-Dole Act**. They must be able to trust that researchers are not falsifying or manipulating findings for personal or institutional gain.
- **The Public and Scientific Community:** The credibility of published research and innovation depends on honest representation of how discoveries occur. This fraud undermines the trust placed in the academic system.
- **Harout (Whistleblower):** Relied on the system to protect intellectual contributions, believing the university's reporting structure would fairly recognize his role.

Why This Matters:

Reliance is not just assumed—it is **built into the system**. Policy 993 explicitly requires faculty to act with **honesty and accountability**, because the **entire academic and funding ecosystem depends** on truthful conduct.

When a professor knowingly changes the story to suit personal goals, that trust is broken. Everyone involved—UCLA, NIH, the public, and fellow researchers—**relied on that honesty**, and that reliance was betrayed.

INTENT TO DEFRAUD

requires that the defendant acted **knowingly and willfully**, with the purpose of deceiving or cheating another party.

The PI's own words reveal his **specific intent to deceive**. In written communications, he states that the accidental discovery should be "**made into something stronger**"—clearly indicating an intentional decision to **change the narrative** from an unplanned, serendipitous event to a designed, strategic result.

This shift was not accidental or careless—it was **calculated**. The PI knew that by rewriting the story, he could:

1. Strengthen his claim to authorship and control,
2. Increase the perceived value and academic weight of the discovery,
3. Justify suppressing the real inventor's role and blocking proper disclosure.

His awareness that the original version was accidental—and his conscious choice to rewrite it—shows he was not confused or mistaken. He was **willing and deliberate**, which satisfies the requirement of **willfulness and knowledge** under the legal standard.

The PI understood that admitting the discovery was serendipitous would mean the credit rightfully belonged elsewhere (Gulesserian). Instead of following policy and disclosing the truth, he **chose to alter the facts** to serve his own interests. This demonstrates **intent to deceive**, not just intent to publish or frame the work favorably.

Admission Evidence by Bennett Novitch 10/2/2023

The one factor I'm not yet sure of is how to introduce the use of SB-590885. Calling it a mistake does not add confidence, and it would be better to come up with some rationale based on other experiments like the idea that suppression of FGF-MEK signaling helps with organoids. This may take some crafting of a suitable narrative.

MATERIAL MISREPRESENTATION OR OMISSION
Involvement of false **statements** or **withholding key facts** that are crucial in influencing decisions or actions of the victim

Omission: The PI failed to report the invention as required, **concealing** the true nature of the discovery.

Misrepresentation via False Narrative: The PI fabricated a story about the invention to claim it as part of his own intentional research, rather than an accidental discovery.

Why These Actions are Material:

These actions were **material** because documentary evidence proves they aimed to **influence key decisions** of several victims, including:

- **Gulesserian:** Denied employment benefits and proper credit due to his **contractual obligations** to report inventions and fulfill his duties under **UCLA Policy 993**.
- **NIH and the Federal Government:** Victims because of their vested interest in the proper reporting of inventions under the **Bayh-Dole Act** and their duty to ensure compliance with research integrity and funding guidelines.
- **UCLA:** The university itself is a victim due to its duty to uphold academic and research integrity. This duty is reflected in **Provost Brown's objectives** (referencing **Policy 5105** on academic promotion and policy enforcement).

These actions are **material** because they were designed to influence decisions about employment benefits, intellectual property rights, and funding, all of which **harm the core mission** of UCLA—academic integrity and responsible research.

The PI's duty to the **NIH** and the **Bayh-Dole Act** **does not override** his responsibility to the university mission, and as **TDG** (the arbiter) admits, the university's responsibility to academic integrity and research compliance should guide all decisions.

UCLA ADMINISTRATIVE POLICIES & PROCEDURES

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UCLA Policy 993 : Responding to Allegations of Research Misconduct

Issuing Officer: Executive Vice Chancellor & Provost
Responsible Office: Office of the Vice Chancellor for Research and Creative Activities - [Link Us Contact Person](#)
Effective Date: June 18, 2022
Supersedes: UCLA Policy 993, dated 10/27/2010
Revision History: [BEP History](#)

I. PURPOSE & SCOPE

UCLA is committed to maintaining the integrity of scholarship and Research, and to fostering a climate conducive to Research integrity in accordance with the University's Policy on Integrity in Research. Such integrity includes not only the avoidance of wrong doing but also the rigor, carefulness, and accountability that are hallmarks of good scholarship.

This Policy implements this commitment and outlines the procedures for reporting and responding to Allegations of Research Misconduct, and is also intended to satisfy the requirements of the U.S. Department of Health and Human Services (DHHS), the National Science Foundation, and other federal agencies.

Admission Evidence by Bennett Novitch 4/15/2024

I will reiterate once more and in very plain terms - what I am asking is for you to do is assist members of my laboratory in their experiments to best achieve the goals of our research. You are specifically paid from funds that we have received from NIH - funded by the American people - to support these research activities. As a staff research assistant, it is part of your job requirement to assist others. At this moment in time, people in the laboratory are encountering difficulties in achieving their goals, and your alternative cell culture methods could potentially help them overcome these bottlenecks. If you continue to refuse to help members of the laboratory in their research efforts, I will have no choice but to conclude that you no longer wish to do your job. This would sadden me greatly.

Please note that none of these concerns affect our previously discussed plans to pursue an invention report submission regarding your serendipitous finding about a small molecule that may improve brain organoid formation and development of a cell culture protocol (based on previous work from my laboratory) that maximizes its impact. You will get credit for your discovery and I will continue to be enthusiastic about working with you on experiments to determine the mechanisms by which the molecule works. However it is essential to also assess whether the positive benefits of this molecule can be extended to improving problematic cell lines. This would be a major advance for the lab, reinforce the importance of your finding, and further our research productivity. Everyone would win in this scenario. It is inexplicable to me that you are continuing to be an obstructionist on this point and are endangering our previously good working relationship and raising tensions across lab members.

I would also like to clarify that our obligations are not to TDG and its leadership, it is to the NIH, the American taxpayer and patient needs. TDG's primary role is to provide a service to our University in helping us commercialize ideas and tangible property. The University does not mandate use of their services, and they have no authority over our research.

SCHEME TO DEFRAUD

a deliberate plan to deprive another of **money, property, or honest services** through misrepresentation or deception.

Failure to report - Suppress disclosure by directing the actual inventor (Gulesserian) not to report the invention—despite everyone’s legal and contractual obligation to disclose under NIH policy and UCLA research rules.

Knowingly planned to defraud the university of its rightful intellectual property in order to enhance his position and pursue future grant funding, in direct violation of UCLA Policy 993 among others

Falsify the origin of an invention via admission by instructing Gulesserian via email to misrepresent the real narrative to “craft a suitable narrative” in attempts to “add confidence” when the discovery was a mistake, accident and serendipitous

It is submitted and alleged that both actions — rewriting the narrative and suppressing disclosure of potential patentable discoveries under 35 U.S.C. § 202(c)(1) — constitute clear violations of **UCLA Policy 993**, as they are fundamentally dishonest. It is dishonest to prevent Harout from fulfilling his **contractual obligation** to report the discovery. It is also dishonest for the PI to knowingly withhold that report himself, despite having a duty to disclose the invention to the **NIH**. Further, directing others to alter the story to make it appear more "academically strong" is most dishonest a deliberate misrepresentation of the facts.

Each of these actions represents a **separate and independent violation** of Policy 993, amounting to at least four distinct breaches of research integrity. This policy is not just a formality—it reflects the **core values that uphold the university’s mission**. If we fail to follow the foundational principles that define our academic credibility, we compromise the very purpose and integrity of this institution.

Admission Evidence by Bennett Novitch 4/15/2024

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Reasons for Whistleblower Complaint

The Labor Commissioner's Office provides the model posting below which meets the requirements of Labor Code Section 1102.8(a)-(b) under AB 2299 (Ch. 105, Stats. 2024), effective 1/1/2025. This document must be printed to 8.5 x 14-inch paper with margins no larger than one-half inch in order to conform to the statutory requirement that the lettering be larger than size 14-point type.

WHISTLEBLOWERS ARE PROTECTED

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency, person with authority over the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to and testify before a public body conducting an investigation, hearing or inquiry, when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation.

Who is protected?

Pursuant to [California Labor Code Section 1102.5](#), employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California. ([California Labor Code Section 1105](#))

What is a whistleblower?

A "whistleblower" is an employee who discloses information to a government or law enforcement agency, person with authority over the employee, or to another employee with authority to investigate, discover, or correct the violation or noncompliance, or who provides information to or testifies before a public body conducting an investigation, hearing or inquiry, where the employee has reasonable cause to believe that the information discloses:

1. A violation of a state or federal statute,
2. A violation or noncompliance with a local, state or federal rule or regulation, or
3. With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

A whistleblower can also be an employee who refuses to participate in an activity that would result in a violation of a state or federal statute, or a violation of or noncompliance with a local, state or federal rule or regulation.

Even if an employee does not engage in such protected activity, but their employer believes they did or will engage in protected activity in the future, they are perceived to be a whistleblower and are protected.

What protections are afforded to whistleblowers?

1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
2. An employer may not retaliate against an employee who is a whistleblower or is perceived to be a whistleblower.
3. An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.
4. An employer may not retaliate against an employee for having exercised their rights as a whistleblower in any former employment.

Under [California Labor Code Section 1102.5](#), if an employer retaliates against a whistleblower, the employer may be required to reinstate the employee's employment and work benefits, pay lost wages and civil monetary penalties, and take other steps necessary to comply with the law.

 <https://ucla.app.box.com/s/gte3E>

UCLA



UCLA-WB-
Hotline-...



Log in



UCLA Whistleblower Hotline (800) 403-4744 universityofcalifornia.edu/hotline

What You Can Report

Any activity by UC or a UC employee that

- Significantly violates University policy
- Violates a state or federal law or regulation, such as
 - Corruption
 - Misfeasance
 - Bribery
 - Theft or misuse of government property
 - Fraud
 - Coercion
 - Conversion
- Demonstrates economic waste
- Involves gross misconduct, gross incompetence, or gross inefficiency

Where To Report

- Whistleblower Hotline:
(800) 403-4744 or
universityofcalifornia.edu/hotline
- Your supervisor, department head, or another University official with responsibility over the matter
- The Locally Designated Official (LDO) / UCLA Compliance Office
- Campus or Health Human Resources, or Academic Personnel Office
- UCLA Health Office of Compliance Services
- Audit & Advisory Services
- EMERGENCIES AND SAFETY CONCERNS
Any imminent threat to health or safety should be immediately reported to University police by calling 911 from a campus or cell phone. Any serious workplace injury or environmental safety concern should be promptly reported to the Environment, Health & Safety hotline at (310) 825-9797.

How You Can Report

- In writing or orally
- With as much specific factual information as possible
- Anonymously, if preferred

Other Reporting Mechanisms

- California State Auditor's Whistleblower Hotline
(800) 952-5665
auditor.ca.gov/hotline
- California Attorney General's Hotline
(800) 952-5225

You may also report fraud, waste & abuse involving certain federal programs directly to the federal government. More information on federal whistleblower programs can be found at ucop.edu/uc-whistleblower/index.html

Protection from Retaliation

If you believe you have been retaliated against for reporting improper activity, you may be eligible to file a complaint.

You may inquire with your Human Resources or Academic Personnel Office, or with the Locally Designated Official (LDO) in the UCLA Compliance Office about your complaint options.

UCLA's whistleblower retaliation complaint process is set forth in UCLA Procedure 620.1, available at www.adminpolicies.ucla.edu/APP/Number/620.1.

Rev. June 2023

UCLA ADMINISTRATIVE POLICIES & PROCEDURES

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UCLA Procedure 620.1: Whistleblower Retaliation Complaints

Issuing Officer: Acting Administrative Vice Chancellor

Responsible Office: - [Look Up Contact Person](#)

Effective Date: October 2, 2015

Supersedes: UCLA Procedure 620.1, dated 8/1/2002, dated 8/01/2002

Revision History: [APP History](#)



Print

I. PURPOSE & SCOPE

This Procedure sets out the process for submitting a complaint that has been submitted qualifies to Policy (WPP). A whistleblower retaliation complaint as outlined in this Procedure.

II. DEFINITIONS

The following definitions from the WPP:

Adverse Personnel Action is a material and negative way, including corrective salary decrease, demotion

Illegal Order is a directive to violate

or cause others to work in conditions outside of their line of duty that would unreasonably threaten the health or safety of employees or the public.

Protected Disclosure is a good faith communication, including a communication based on, or when carrying out, job duties, that discloses or demonstrates an intention to disclose information that may evidence either (1) an Improper Governmental Activity or (2) a condition that may significantly threaten the health or safety of employees or the public if the disclosure or intention to disclose was made for the purpose of remedying that condition.

Improper Governmental Activity is any activity undertaken by the University or by a University employee that is undertaken in the performance of the employee's duties, whether or not that activity is within the scope of his or her employment, and that (1) is in violation of any State or federal law or regulation, including, but not limited to, corruption, misfeasance, bribery, theft of government property (including University property and facilities), fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property (including University property and facilities), or willful omission to perform duty, or (2) is economically wasteful or involves gross misconduct, gross incompetence, or gross inefficiency.