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Troubles With Recognizing Retaliation Under Stimulus Act, Law360

By Sarah K. Goldstein and Amber S. Healy

Law360, New York (November 01, 2013, 1:14 PM ET) — Enacted in 2009, the American Recovery and Reinvestment Act, Pub.L. No. 111-5, was meant to provide a shot of adrenalin to the lagging U.S. economy. Of the $840 million doled out by the economic Stimulus Act, it is estimated that $11.1 million of the funds have been lost to fraud.[1] Today, the act is increasingly used to protect employees who "complain" about their employers' business practices, thereby exposing employers to potential claims from yet another source.

Determining whether an employee's statement is a gripe or an…

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