A training slide about reporting suspected financial crime should make one point clear: employees may have protected routes for raising concerns outside their employer, including reporting relevant information to the Financial Crimes Enforcement Network (FinCEN). An internal reporting channel is not necessarily the only route.

But a slide must not oversimplify. Protection depends on the facts and the applicable law. Employees also need to understand that reporting a concern is different from disclosing a Suspicious Activity Report (SAR), or even confirming that a SAR exists. Those are distinct issues, and careless wording can create confusion or risk.

For organisations subject to Bank Secrecy Act (BSA) requirements, a useful slide should explain internal channels, protected external reporting, the potential whistleblower award and the prohibition on retaliation. It should also give employees a safe way to ask questions without suggesting that an award or a particular legal outcome is guaranteed.

Start with a clear, qualified message

A training slide should not say, simply, "All reports to FinCEN are protected." That is too broad. Instead, it should explain that the BSA provides whistleblower protections for certain lawful reporting and participation, and that employees may be able to report relevant information to the appropriate authorities without first reporting it internally.

The distinction matters. An employee may have information about suspected money laundering or another BSA violation. They may also know that their employer filed, or is considering filing, a SAR. Sharing the underlying concern with an authority is not the same as disclosing the SAR itself. SAR confidentiality rules restrict disclosure of a SAR and information that would reveal its existence. Training should tell employees to use authorised processes and not share SAR documents or confirm a filing to unauthorised people.

A practical slide might say:

You may raise concerns through the company's compliance channels. The law may also protect certain lawful reports of suspected violations to FinCEN, the United States Department of the Treasury, the United States Department of Justice or other appropriate authorities. You do not have to use an internal channel first to make a protected external report. Do not disclose a SAR or information that would reveal whether one exists. The company prohibits retaliation for legally protected reporting.

That wording is a starting point, not a substitute for legal review. Organisations should tailor it to their lawyer-monthly.com business, reporting routes and the laws that apply to their staff.

Internal reporting and external reporting are different routes

Internal compliance channels

Internal channels give a company the opportunity to identify and address problems. These may include a manager, the compliance team, a dedicated reporting line, an ethics portal or another designated contact. Training should describe the routes that actually exist and explain how to use them, including whether reports can be made anonymously.

Employees should be encouraged to raise concerns promptly. A timely internal report can help the organisation investigate, preserve records and meet its own legal obligations, including any applicable SAR obligations. But encouraging internal reporting is not the same as requiring it before an employee contacts a regulator.

Protected external reporting

The BSA whistleblower provisions address certain reports of possible violations to government authorities, as well as some reports made to a supervisor or another person working for the employer who has authority to investigate, discover or terminate misconduct. They also cover certain participation in related proceedings. The precise scope depends on the circumstances and the statutory requirements.

Training should therefore avoid telling staff that they must obtain permission from compliance, or exhaust internal channels, before contacting an authority. It should also avoid implying that an employee must provide information to the company first in order to qualify for protection. A policy that appears to obstruct lawful external reporting may create legal and practical problems.

Employees should use appropriate official channels and should not remove or disclose confidential material unlawfully. A report can identify a concern without circulating a SAR, customer data or other restricted information more widely than necessary. Anyone unsure how to proceed should seek independent legal advice or use an authorised government reporting channel.

What changed in the 2022 overhaul?

Congress strengthened the BSA whistleblower programme through changes enacted in 2022. The overhaul addressed the structure and potential value of awards, among other matters. For training purposes, the important message is that the programme can provide a financial award to an eligible whistleblower when the statutory conditions are met, and that awards are not simply a matter of corporate discretion.



Earlier versions of the programme had a relatively low cap on awards. The revised framework instead provides for an award generally ranging from 10 to 30 per cent of monetary sanctions collected in a qualifying action, subject to the law and the circumstances of the case.

The changes also strengthened anti-retaliation protections and provided a federal route for a whistleblower to pursue a retaliation claim. These provisions are important, but they do not mean that every person who makes a report will receive an award, or that every dispute will be resolved quickly or in the employee's favour.

How the $1 million sanctions trigger works

The award framework includes a threshold: the successful enforcement action must result in monetary sanctions exceeding $1 million. In broad terms, where an eligible whistleblower provides qualifying information that leads to a successful action meeting the threshold, the statute provides for an award within the 10 to 30 per cent range of monetary sanctions collected.

The threshold relates to the sanctions collected in the qualifying action, not simply the size of a suspected violation, a company's revenue or the amount an employee believes was involved. A report can raise a serious concern and still not result in an award. There may be no enforcement action, the action may not meet the threshold, or other eligibility rules may apply.

For that reason, training should not advertise the award as a likely payment or a reward for making any report. It should present it as a possible statutory award for qualifying information connected to a qualifying enforcement outcome.



What does the 10 to 30 per cent range mean?

The range is not a fixed commission. It describes the potential share of monetary sanctions collected that may be awarded to eligible whistleblowers. The amount depends on the particular case and the programme's rules. If several whistleblowers qualify, the total award allocation is considered under those rules; employees should not assume each person will receive 10 to 30 per cent.

Nor should a slide suggest that an employee can calculate a personal award by multiplying a company's penalty by a percentage. The amount collected, the whistleblower's contribution, eligibility and other statutory factors can all matter. FinCEN administers the programme, and a decision about an award is not made by the employee's employer.

A measured explanation can help staff understand the incentive without making promises. For example: "Eligible individuals may qualify for an award if their information contributes to a successful enforcement action meeting statutory requirements. Awards are generally 10 to 30 per cent of monetary sanctions collected, where the action meets the $1 million threshold. No award is guaranteed."

Make the non-retaliation statement explicit

A non-retaliation statement should name the conduct the company will not tolerate. It should make clear that the organisation prohibits adverse treatment because an employee made, or assisted with, a legally protected report or participated in a covered proceeding.

Retaliation can take forms beyond dismissal. Depending on the facts, it may include demotion, suspension, threats, harassment, reduced pay or hours, a poor performance assessment, exclusion from opportunities, or other action that harms an employee's working conditions. A slide should not imply that only termination counts.

The wording should apply to managers and colleagues, and it should explain how to report suspected retaliation. It should not promise that every complaint will lead to a finding of retaliation. Instead, it should commit to a prompt, impartial review and appropriate action where misconduct is established.

For example:

Retaliation is prohibited. We will not discharge, demote, suspend, threaten, harass or otherwise discriminate against anyone because they made, or assisted with, a report protected by law. Report suspected retaliation to [designated contact or channel]. The company will review concerns and take appropriate action. This policy does not restrict lawful reporting to government authorities.

Explain the federal cause of action—and its limits

The BSA provides a route for an employee who believes they have faced unlawful retaliation to seek relief. The statutory process includes a complaint to the United States Secretary of Labor. The law also allows a federal court action in specified circumstances, including where the administrative process has not produced a final decision within the statutory period and other requirements are met.

Potential remedies can include reinstatement, back pay with interest, special damages and legal costs, depending on the case. The claim process has deadlines and procedural requirements. An employee should not assume that raising a concern internally, or telling a manager about retaliation, automatically preserves a legal claim or pauses a filing deadline.

Training should direct employees to obtain independent advice promptly if they believe they have experienced retaliation. It should not give a definitive legal assessment of an individual's claim or suggest that a federal case will succeed. Timing matters, and the relevant facts can be contested.

What the slide should—and should not—promise

Say Avoid saying "Certain lawful reports to government authorities may be protected by law." "Every report to FinCEN is protected in every circumstance." "You are not required to report internally first to make a protected external report." "You must tell compliance before contacting a regulator." "Eligible whistleblowers may qualify for an award if statutory conditions are met." "You will receive 10 to 30 per cent of any fine." "Do not disclose a SAR or information that reveals whether one exists." "You cannot discuss suspected wrongdoing outside the company." "Retaliation is prohibited; report concerns through [named route]." "We guarantee you will never face retaliation."

Design for real decisions, not just legal coverage

Employees need to know what to do when they suspect a problem, especially if they are worried that an internal report will not be taken seriously or could affect their job. A slide should be brief enough to remember, but it should link to a fuller policy with the official reporting options, contact details and guidance on confidential information.

Compliance teams should review the wording with counsel familiar with the BSA whistleblower provisions and SAR confidentiality rules. They should also test whether managers understand that internal escalation is encouraged but must not be used to block a lawful external report. Training should be refreshed when reporting routes, legal requirements or company procedures change.

The core message is straightforward: internal channels matter, but they are not the only route. Protected external reporting may be available; retaliation is prohibited; and a possible award depends on statutory conditions, including a qualifying enforcement action with more than $1 million in monetary sanctions. Clear, accurate wording helps employees make informed choices without overstating protection or promising an outcome.