IAJ/UIM  
Study Group Four—2020  
Costa Rica

Fraud and Corruption in the workplace: How does it affect employees?

Fraud and corruption are universal problems that exist in all spheres of society, including in the workplace, whether in the employer’s business, in unions, or in outside contractors. Fraud and corruption greatly impact employees. Some employees are ready to fight and denounce this problem, but others fear retaliation.

Fraud and corruption are closely related concepts but address different issues:

Fraud generally involves deliberate misrepresentation of facts and/or significant information to obtain undue or illegal financial advantage.

Corruption involves effort to influence and/or the abuse of public authority through the giving or the acceptance of inducement or illegal reward for undue personal or private advantage.

The 4th Study Commission will examine these questions this year. What kind of fraud and corruption is found in the workplace? What are the consequences? What protection can be offered to whistleblowers?

REPLIES OF THE ASSOCIATION OF JUDGES OF THE REPUBLIC OF ARMENIA

Questions:

(1) Does your country have any legislation, or rules, that deal with fraud and corruption in the workplace? If so, please briefly describe them. As such, there is no separate law dealing with fraud and corruption in the workplace, but Criminal Code of the Republic of Armenia provides...
for the crime of fraud, as well as a number of corruption crimes in general.

(2) Do you have one example of fraud or corruption in the workplace and its consequences on employees? No, there is no such example.

(3) Do you have any specific laws protecting whistleblowing by employees, and, if so, what are they? Do these laws cover wrongdoing, fraud and corruption by third parties (who are not employers)? What remedies are available to whistleblowers. No, we haven’t any specific laws in above-mentioned sphere.

(4) Do non-government agencies, such as civil society organizations, play any part in fighting corruption in the workplace, and if so, how do they interact with the administrative agencies or courts in your country? Yes, there are such civil society organizations, that actualize public control in the above-mentioned sphere. They can submit applications to the administrative agencies for drawing their attention to these issues or can file a lawsuit to the court.

Thank you for your participation.