Article - General Provisions

§8–107.

(a) A person may not take a retaliatory action against an employee, a contractor, or a grantee because the employee, contractor, or grantee:

(1) acts lawfully in furtherance of an action filed under this title, including an investigation for, initiation of, testimony for, or assistance in an action filed or to be filed under this title;

(2) discloses or threatens to disclose to a supervisor or to a public body an activity, a policy, or a practice of the person that the employee, contractor, or grantee reasonably believes is in violation of § 8–102 of this title or a regulation adopted under this title;

(3) provides information to, or testifies before, a public body conducting an investigation, a hearing, or an inquiry into a violation of § 8–102 of this title or a regulation adopted under this title that is allegedly or actually committed by the person; or

(4) objects to or refuses to participate in any activity, policy, or practice that the employee, contractor, or grantee reasonably believes is in violation of § 8–102 of this title or a regulation adopted under this title.

(b) (1) An employee, a contractor, or a grantee may file a civil action against a person other than a supervisor in State government, an appointing authority in State government, or the head of a principal unit in State government if the person takes a retaliatory action against the employee, contractor, or grantee in violation of subsection (a) of this section.

(2) The employee, contractor, or grantee may seek in the civil action:

(i) an injunction to restrain a continuing violation of subsection (a) of this section;

(ii) reinstatement to the same seniority status held before the retaliatory action;

(iii) reinstatement of full fringe benefits and seniority rights;

(iv) two times the amount of lost wages, benefits, and other remuneration, including any interest accumulated;

(v) payment by the person of reasonable costs and attorney's fees;

(vi) punitive damages;

(vii) an assessment of a civil penalty:

1. not exceeding $1,000 for the first violation; and

2. not exceeding $5,000 for each subsequent violation; and

(viii) any other relief necessary to make the employee, contractor, or grantee whole.

(3) The remedies provided under this section do not diminish or affect the rights, privileges, or remedies available to the employee, contractor, or grantee under:

(i) any other federal or State statute or regulation; or

(ii) any collective bargaining agreement or employee contract.

(c) A State employee who is subject to retaliatory action in violation of subsection (a) of this section may file a complaint under Title 5, Subtitle 3 of the State Personnel and Pensions Article.