

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 95 (Chairman, Finance Committee)
(Departmental – University System of Maryland)
Finance Appropriations

Maryland Whistleblower Law - University System of Maryland and Morgan State University

This departmental bill requires certain employees of the University System of Maryland (USM) and Morgan State University (MSU) to choose where to file a grievance. An employee eligible to file a grievance under the provisions of Title 13 (for USM employees) or Title 14 (for MSU employees) of the Education Article for a violation of the Maryland Whistleblower Law may choose to file a grievance either through those provisions or with the Secretary of Budget and Management as provided in the Maryland Whistleblower Law, but not both.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing resources.

Local Effect: None.

Small Business Effect: The University System of Maryland has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: A non-executive employee in an agency of the executive branch that has an independent personnel system, such as USM or MSU, may file a grievance based on a violation of the Maryland Whistleblower Law with the Secretary of the Department of

Budget and Management under provisions of the Maryland Whistleblower Law. In addition, a classified employee or associate staff employee of USM may file a grievance based on a violation of the Maryland Whistleblower Law under Title 13 of the Education Article. Similarly, an employee of MSU who is not a student employee, faculty member, executive staff member, or professional administrative staff member may file a grievance under Title 14 of the Education Article.

Consequently, an employee of the USM or MSU eligible to file a grievance under the provisions specific to each institution may also file a grievance based on a violation of the Maryland Whistleblower Law with the Secretary of Budget and Management, resulting in two different procedures for the same grievance.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Morgan State University, Office of Administrative Hearings, University System of Maryland, Department of Budget and Management, Attorney General's Office, Department of Legislative Services

Fiscal Note History: First Reader - January 11, 2002
mld/mdr

Analysis by: Christine A. Scott

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510