

HOUSE BILL 1133

L5

9lr2305

By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: February 13, 2009
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Comprehensive Whistleblower**
3 **Protections**

4 **MC/PG 120-09**

5 FOR the purpose of requiring the Washington Suburban Sanitary Commission to
6 adopt certain regulations on or before a certain date that establish certain
7 comprehensive employee whistleblower protections; requiring the regulations to
8 be similar to certain other provisions, prohibit a certain manager or supervisor
9 from taking or refusing to take a certain personnel action against a certain
10 employee under certain circumstances, require the Commission to provide
11 certain written notice to certain employees, set up a certain procedure for filing
12 certain complaints or grievances, establish a system for investigating certain
13 complaints, and set forth certain remedial actions that may be taken under
14 certain circumstances; and generally relating to Washington Suburban Sanitary
15 Commission regulations establishing comprehensive employee whistleblower
16 protections.

17 BY adding to

18 Article 29 – Washington Suburban Sanitary District
19 Section 18-109
20 Annotated Code of Maryland
21 (2003 Replacement Volume and 2008 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article 29 – Washington Suburban Sanitary District**

25 **18-109.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) ON OR BEFORE OCTOBER 1, 2010, THE COMMISSION SHALL ADOPT**
2 **REGULATIONS THAT ESTABLISH COMPREHENSIVE COMMISSION EMPLOYEE**
3 **WHISTLEBLOWER PROTECTIONS.**

4 **(B) THE REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS**
5 **SECTION SHALL:**

6 **(1) BE SIMILAR TO THE PROVISIONS OF TITLE 5, SUBTITLE 3 OF**
7 **THE STATE PERSONNEL AND PENSIONS ARTICLE;**

8 **(2) PROHIBIT A MANAGER OR SUPERVISOR FROM TAKING OR**
9 **REFUSING TO TAKE A PERSONNEL ACTION AS A REPRISAL AGAINST AN**
10 **EMPLOYEE WHO:**

11 **(I) DISCLOSES INFORMATION THAT THE EMPLOYEE**
12 **REASONABLY BELIEVES EVIDENCES:**

13 **1. AN ABUSE OF AUTHORITY, GROSS**
14 **MISMANAGEMENT, OR GROSS WASTE OF MONEY;**

15 **2. A SUBSTANTIAL AND SPECIFIC DANGER TO**
16 **PUBLIC HEALTH OR SAFETY; OR**

17 **3. A VIOLATION OF LAW; OR**

18 **(II) FOLLOWING A DISCLOSURE UNDER ITEM (I) OF THIS**
19 **ITEM, SEEKS A REMEDY PROVIDED BY REGULATION OR ANY OTHER LAW;**

20 **(3) REQUIRE THE COMMISSION TO PROVIDE THE EMPLOYEES OF**
21 **THE COMMISSION WITH WRITTEN NOTICE OF THE PROTECTIONS AND REMEDIES**
22 **PROVIDED BY THE REGULATIONS;**

23 **(4) SET UP A PROCEDURE BY WHICH AN EMPLOYEE WHO SEEKS**
24 **RELIEF FOR A VIOLATION OF THE REGULATIONS MAY FILE A COMPLAINT OR A**
25 **GRIEVANCE;**

26 **(5) ESTABLISH A SYSTEM FOR INVESTIGATING COMPLAINTS AND**
27 **GRIEVANCES; AND**

28 **(6) SET FORTH REMEDIAL ACTIONS THAT MAY BE TAKEN BY THE**
29 **COMMISSION IF A VIOLATION OF THE REGULATIONS IS FOUND TO HAVE**
30 **OCCURRED.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.