

# HOUSE BILL 1133

L5

9lr2305

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By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: March 25, 2009

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## CHAPTER \_\_\_\_\_

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:

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

2   **18-109.**

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

6           **(B) THE REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS**  
7 **SECTION SHALL:**

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

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

13                           **(I) DISCLOSES INFORMATION THAT THE EMPLOYEE**  
14 **REASONABLY BELIEVES EVIDENCES:**

15                                   **1. AN ABUSE OF AUTHORITY, GROSS**  
16 **MISMANAGEMENT, OR GROSS WASTE OF MONEY;**

17                                   **2. A SUBSTANTIAL AND SPECIFIC DANGER TO**  
18 **PUBLIC HEALTH OR SAFETY; OR**

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

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

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

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

28                   **(5) ESTABLISH A SYSTEM FOR INVESTIGATING COMPLAINTS AND**  
29 **GRIEVANCES; AND**

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.