

CHAPTER 162

(House Bill 1133)

AN ACT concerning

Washington Suburban Sanitary Commission – Comprehensive Whistleblower Protections

MC/PG 120-09

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

BY adding to

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

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

Article 29 – Washington Suburban Sanitary District

18-109.

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

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

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

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

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

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

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

3. A VIOLATION OF LAW; OR

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

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

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

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

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

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

Approved by the Governor, April 14, 2009.