

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: George, Monroe, Prozanski, Telfer, Rosenbaum

Nays: -

Exc.: -

Prepared By: Jim Stembridge, Administrator
Theresa Van Winkle, Committee Staff

Meeting Dates: 2/8

WHAT THE MEASURE DOES: Expands protection under the state’s public employee Whistleblower Law to include discussions with any member of an elected governing body of any political subdivision and with elected local government auditors. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Ability of government employees to speak openly and candidly with elected officials
- Example of discussion between government employee and an elected official, and resulting retribution
- Reasons for including elected auditors
- Personal (unofficial) testimony in legislative committees by state employees

EFFECT OF COMMITTEE AMENDMENT: Expands protection to include discussions with elected local government auditors.

BACKGROUND: Current statute prevents public employers from prohibiting employees from responding to an official request regarding state or local government, issued by either a member of the Legislative Assembly or legislative committee staff acting under the direction of a member; or discriminating or retaliating against employees for disclosing any information that they reasonably believe is evidence of violation of state, federal, or local laws, rules and regulations, or mismanagement, “gross waste of funds,” abuse of authority, or substantial and specific danger to public health and safety. SB 996-A extends the protection to conversations between public employees and elected local government officials, including elected auditors.

Violations of the state’s Whistleblower Law are considered unlawful employment practices enforced by the Bureau of Labor and Industries (BOLI). Remedies for unlawful discrimination include filing a complaint with BOLI or filing a civil action with either circuit court or federal district court.