



# HOUSE BILL 348: Protect City Employees From Retaliation.

2019-2020 General Assembly

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<b>Committee:</b>	House Floor	<b>Date:</b>	May 7, 2019
<b>Introduced by:</b>	Reps. Grange, Conrad, Hanig, Richardson	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	Third Edition		Staff Attorney

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**OVERVIEW:** *House Bill 348 provides that a city council that does not have a binding personnel policy, code of conduct, or other procedure protecting employees from retaliation must adopt rules and regulations or ordinances that encourage city employees to report certain improper activity and to protect employees who report such activity from retaliation. The act is effective when it becomes law.*

**CURRENT LAW:** Under current law, a city council may adopt ordinances concerning but not limited to annual leave, sick leave, special leave with full pay or with partial pay supplementing workers' compensation payments for employees injured in accidents arising out of and in the course of employment, hours of employment, holidays, working conditions, service award and incentive award programs, other personnel policies, and any other measures that promote the hiring and retention of capable, diligent, and honest career employees. G.S. 160A-164.

**BILL ANALYSIS:** House Bill 348 provides that a city council that does not have a binding personnel policy, code of conduct, or other procedure protecting employees from retaliation must adopt rules and regulations or ordinances that encourage city employees to report to their immediate supervisor, department head, or other appropriate authority evidence of any of the following:

- Violations of federal, State, or city laws, rules, or regulations.
- Fraud.
- Misappropriation of State or city government resources.
- Any activity that poses a substantial or specific danger to public health and safety.
- Gross mismanagement, including the gross waste of public monies or the gross abuse of authority.

The council must, by ordinance, prohibit any employee from taking action against another employee who reported any of these activities. This includes prohibiting retaliation against that employee, discharging the employee, threatening the employee, or otherwise discriminating against the employee regarding compensation, terms, conditions, or privileges of employment. The city council must provide notice to keep city employees informed of their rights and responsibilities under these provisions.

**EFFECTIVE DATE:** The act is effective when it becomes law.

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Director



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