

HOUSE RESOLUTION NO. 343

Reps. Alexander, Griffin, Rendon, Allor, Chirkun and Crawford offered the following resolution:

1 A resolution to remind state employees of whistleblower
2 protections and encourage them to come forward if they have
3 knowledge of any irregularities or illegal or suspect behavior.

4 Whereas, Ensuring public confidence in government requires
5 that individuals and agencies which violate the law are identified
6 and held accountable. The strongest bulwarks against illegal,
7 corrupt, and incompetent actions are state employees who report
8 instances of wrongdoing by superiors and colleagues; and

9 Whereas, State law affords substantial protections to state
10 employees who report violations or suspected violations of laws or
11 rules. Section 2 of the Whistleblowers' Protection Act, 1980 PA
12 469, MCL 15.361 et seq., states:

1 An employer shall not discharge, threaten, or otherwise
2 discriminate against an employee regarding the employee's
3 compensation, terms, conditions, location, or privileges
4 of employment because the employee, or a person acting on
5 behalf of the employee, reports or is about to report,
6 verbally or in writing, a violation or a suspected
7 violation of a law or regulation or rule promulgated
8 pursuant to law of this state, a political subdivision of
9 this state, or the United States to a public body, unless
10 the employee knows that the report is false, or because an
11 employee is requested by a public body to participate in
12 an investigation, hearing, or inquiry held by that public
13 body, or a court action.

14 Civil Service Commission rules, specifically Rule 2-10.1 through
15 Rule 2-10.3, establish similar protections prohibiting reprisal
16 against whistleblowers; and

17 Whereas, Michigan courts have interpreted the Whistleblowers'
18 Protection Act and civil service protections broadly. The purpose
19 of the law and rules is to expose fraud and corruption in
20 government and state employees should feel confident that the law
21 is on their side and will protect them if the state attempts to
22 take retaliatory action against them for reporting wrongdoing; and

23 Whereas, The 100th Legislature has taken steps to further
24 enhance protections offered to state employees, most notably the
25 passage of Senate Bill 686, which would have prohibited a state
26 department or agency from taking disciplinary action against
27 certain state employees for communicating with certain individuals
28 in the legislative branch; and

29 Whereas, The Governor's veto of Senate Bill 686 demonstrated a

1 lack of regard for good government practices, failing to further
2 expand safeguards for state employees interested in protecting the
3 interests of the people of this state; now, therefore, be it

4 Resolved by the House of Representatives, That we remind state
5 employees of whistleblower protections and encourage them to come
6 forward if they have knowledge of any irregularities or illegal or
7 suspect behavior; and be it further

8 Resolved, That copies of this resolution be transmitted to the
9 Governor and the members of the Civil Service Commission.