GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019

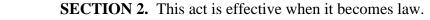
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HOUSE BILL 348* Committee Substitute Favorable 4/29/19 Committee Substitute #2 Favorable 5/6/19 Fourth Edition Engrossed 5/7/19

Short Title:	Protect City Employees From Retaliation.	(Public)
Sponsors:		
Referred to:		
March 14, 2019		
A BILL TO BE ENTITLED AN ACT PROVIDING THAT CITIES SHALL ADOPT RULES AND REGULATIONS ENCOURAGING THEIR EMPLOYEES TO REPORT IMPROPER OR UNLAWFUL ACTIVITY AND REQUIRING CITIES TO PROTECT EMPLOYEES WHO REPORT SUCH ACTIVITY FROM RETALIATION OR OTHER DISCRIMINATORY ACTION. The General Assembly of North Carolina enacts: SECTION 1. G.S. 160A-164 reads as rewritten: "§ 160A-164. Personnel rules.rules; adopt rules to encourage reporting of improper or		
unlawful activity; protect employees from retaliation.		

10 The council may adopt or provide for rules and regulations or ordinances concerning (a) but not limited to annual leave, sick leave, special leave with full pay or with partial pay 11 supplementing workers' compensation payments for employees injured in accidents arising out 12 of and in the course of employment, hours of employment, holidays, working conditions, service 13 14 award and incentive award programs, other personnel policies, and any other measures that 15 promote the hiring and retention of capable, diligent, and honest career employees.

16 The council that does not have a binding personnel policy, code of conduct, or other (b) procedure protecting employees from retaliation shall adopt rules and regulations or ordinances 17 18 that encourage city employees to report to their immediate supervisor, department head, or other appropriate authority evidence of any of the following: (i) violations of federal, State, or city 19 laws, rules, or regulations, (ii) fraud, (iii) misappropriation of State or city government resources, 20 (iv) any activity that poses a substantial or specific danger to public health and safety, and (v) 21 gross mismanagement, including the gross waste of public monies or the gross abuse of authority. 22 23 The council shall, by binding policy, prohibit any employee from taking action against another 24 employee who reported any of the activities described in this subsection, including prohibiting retaliation against that employee, discharging the employee, threatening the employee in any 25 way, or otherwise discriminating against the employee regarding the employee's compensation 26 or the employee's terms, conditions, or privileges of employment. The council shall cause notice 27 to be published in accordance with the provisions of G.S. 95-9, or use other appropriate means, 28 29 to keep city employees informed of their rights and responsibilities under this subsection." 30





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