

Article - State Finance and Procurement

SUBTITLE 3. STATE CONTRACTOR EMPLOYEES' WHISTLEBLOWER PROTECTION.

11-301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "EMPLOYEE" MEANS ANY INDIVIDUAL WHO PERFORMS SERVICES FOR, OR UNDER THE CONTROL AND DIRECTION OF, AN EMPLOYER FOR WAGES OR OTHER REMUNERATION.

(2) "EMPLOYEE" DOES NOT INCLUDE AN EMPLOYEE AS DEFINED IN § 1-501(C)(1) OF THE HEALTH OCCUPATIONS ARTICLE.

(C) (1) "EMPLOYER" MEANS A PERSON ENGAGED IN A BUSINESS, INDUSTRY, PROFESSION, TRADE, OR OTHER ENTERPRISE THAT ENTERS A PROCUREMENT CONTRACT WITH A UNIT TO PROVIDE SUPPLIES OR SERVICES UNDER THIS DIVISION II.

(2) "EMPLOYER" INCLUDES AGENTS, CONTRACTORS, AND SUBCONTRACTORS OF AN EMPLOYER.

(3) "EMPLOYER" DOES NOT INCLUDE A UNIT OF STATE GOVERNMENT SUBJECT TO THE PROVISIONS OF TITLE 5, SUBTITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE OR THE JUDICIAL BRANCH OF STATE GOVERNMENT.

11-302.

AN EMPLOYER SUBJECT TO THIS SUBTITLE SHALL PROVIDE EMPLOYEES WITH WRITTEN NOTICE OF THE PROTECTIONS AND REMEDIES PROVIDED BY THIS SUBTITLE.

11-303.

AN EMPLOYER MAY NOT TAKE OR REFUSE TO TAKE ANY PERSONNEL ACTION AS A REPRISAL AGAINST AN EMPLOYEE BECAUSE THE EMPLOYEE:

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

(I) AN ABUSE OF AUTHORITY, GROSS MISMANAGEMENT, OR GROSS WASTE OF MONEY;

(II) A SUBSTANTIAL AND SPECIFIC DANGER TO PUBLIC HEALTH OR SAFETY; OR

(III) A VIOLATION OF LAW;

(2) OBJECTS TO OR REFUSES TO PARTICIPATE IN ANY ACTIVITY, POLICY, OR PRACTICE IN VIOLATION OF LAW; OR