

HOUSE CONCURRENT RESOLUTION NO. 32

Reps. Alexander, Rendon and Griffin offered the following concurrent resolution:

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

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

10 Whereas, State law affords substantial protections to state
11 employees who report violations or suspected violations of laws or

1 rules. Section 2 of the Whistleblowers' Protection Act, 1980 PA
2 469, MCL 15.361 et seq., states:

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

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

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

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

1 in the legislative branch; and

2 Whereas, The Governor's veto of Senate Bill 686 demonstrated a
3 lack of regard for good government practices, failing to further
4 expand safeguards for state employees interested in protecting the
5 interests of the people of this state; now, therefore, be it

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

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