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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3355

02/17/2020 Authored by Haley, O'Neill, Johnson, Albright, Jurgens and others
The bill was read for the first time and referred to the Committee on Labor

1.1 A bill for an act
1.2 relating to employment; modifying whistleblower protections for public employees;
1.3 amending Minnesota Statutes 2018, section 181.932, subdivision 1.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 181.932, subdivision 1, is amended to read:

1.6 Subdivision 1. Prohibited action. An employer shall not discharge, discipline, threaten,
1.7 otherwise discriminate against, or penalize an employee regarding the employee's
1.8 compensation, terms, conditions, location, or privileges of employment because:

1.9 (1) the employee, or a person acting on behalf of an employee, in good faith, reports a
1.10 violation, suspected violation, or planned violation of any federal or state law or common
1.11 law or rule adopted pursuant to law to an employer or to any governmental body or law
1.12 enforcement official;

1.13 (2) the employee is requested by a public body or office to participate in an investigation,
1.14 hearing, inquiry;

1.15 (3) the employee refuses an employer's order to perform an action that the employee
1.16 has an objective basis in fact to believe violates any state or federal law or rule or regulation
1.17 adopted pursuant to law, and the employee informs the employer that the order is being
1.18 refused for that reason;

1.19 (4) the employee, in good faith, reports a situation in which the quality of health care
1.20 services provided by a health care facility, organization, or health care provider violates a
1.21 standard established by federal or state law or a professionally recognized national clinical
1.22 or ethical standard and potentially places the public at risk of harm;

2.1 (5) a public employee communicates the findings of a scientific or technical study that  
2.2 the employee, in good faith, believes to be truthful and accurate, including reports to a  
2.3 governmental body or law enforcement official; ~~or~~

2.4 (6) an employee in the classified service of state government communicates information  
2.5 that the employee, in good faith, believes to be truthful and accurate, and that relates to state  
2.6 services, including the financing of state services, to:

2.7 (i) a legislator or the legislative auditor; or

2.8 (ii) a constitutional officer; or

2.9 (7) a public employee, in good faith, reports gross mismanagement or a gross waste of  
2.10 funds to the employer, any governmental body, law enforcement official, the legislative  
2.11 auditor, a member of the legislature, or a constitutional officer.

2.12 The disclosures protected pursuant to this section do not authorize the disclosure of data  
2.13 otherwise protected by law.