



Connecticut Business & Industry Association

**Testimony of Kia F. Murrell  
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Before the Committee on Government Administration and Elections  
February 1, 2009**

**S.B. 768 AAC The Protection of Whistleblowers**

Good Morning Senator Slossberg, Representative Spallone and members of the committee. I am Kia Murrell, Assistant Counsel at the Connecticut Business and Industry Association (CBIA). I am here today to speak on *S.B. 768 AAC The Protection of Whistleblowers* which expands whistleblower protections to employees of large state contractors. We believe this legislation would increase labor costs and administrative burdens for employers throughout the state, therefore *we strongly oppose it* for the following reasons:

First, *Section 1(b)(5) places an unnecessary burden on employers seeking to make legitimate, non-retaliatory personnel decisions.* Specifically, by extending the rebuttable presumption for whistleblower actions from one to three years, any personnel action taken by an employer against a whistleblower could be deemed to be in retaliation for the whistleblower action. This places employers in the difficult position of either having to forgo or seriously delay routine employment decisions for fear of implicating the whistleblower statute. In cases where a negative employment decision is made, even if it is sufficiently supported by paperwork and other evidence, the employer may still be forced to spend significant time, effort and expense defending against a whistleblower retaliation claim.

Second, *the various existing whistleblower laws are more than adequate to protect employees in retaliation claims.* Several Connecticut statutes contain whistleblower protections, but few go as far as *S.B. 768*. In fact, many of the other whistleblower statutes, such as those regarding corporations, securities, environmental actions and even the statute governing employment regulation, do not provide whistleblowers with a rebuttable presumption at all. (See for example, CGS §31-51m and CGS § 33-1336). Rather, each of these sections protects whistleblowers by granting them only the right to an administrative hearing or civil action.

Finally, *amending the current statute is legislating for the benefit of a very few at the expense of many.* Large state contractor whistleblowers are already adequately protected. Increasing those protections at the expense of employers will deter companies from entering into large state contracts, thereby impeding economic development in the state at a time when we need it most.

For the aforementioned reasons, CBIA urges the members of the Government Administration and Elections Committee to **Reject SB 768**.