



General Assembly

February Session, 2014

**Raised Bill No. 263**

LCO No. 1650



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING THE EXTENSION OF WHISTLE-BLOWER PROTECTIONS TO AN EMPLOYEE WHO REPORTS A SUSPECTED VIOLATION OF LAW TO THE EMPLOYEE'S SUPERVISOR OR MANAGER.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-51m of the 2014 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2014*):

4 (a) As used in this section: [and section 31-278:]

5 (1) "Person" means one or more individuals, partnerships,  
6 associations, corporations, limited liability companies, business trusts,  
7 legal representatives or any organized group of persons;

8 (2) "Employer" means a person engaged in business who has  
9 employees, including the state and any political subdivision of the  
10 state;

11 (3) "Employee" means any person engaged in service to an employer

12 in a business of his employer;

13 (4) "Public body" means (A) any public agency, as defined in  
14 subdivision (1) of section 1-200, or any employee, member or officer  
15 thereof, or (B) any federal agency or any employee, member or officer  
16 thereof; and

17 (5) "Supervisor" or "manager" means any person who directs or  
18 controls the daily activities of an employee or who solely or in part is  
19 responsible for decisions involving employee compensation or other  
20 material terms and conditions of employment.

21 (b) No employer shall discharge, discipline or otherwise penalize  
22 any employee because (1) the employee, or a person acting on behalf of  
23 the employee, reports, verbally or in writing, a violation or a suspected  
24 violation of any state or federal law or regulation or any municipal  
25 ordinance or regulation to a public body or to any supervisor or  
26 manager of the employer, (2) the employee is requested by a public  
27 body or any supervisor or manager of the employer to participate in an  
28 investigation, hearing or inquiry held by [that] the public body or  
29 employer, or a court action, or (3) the employee reports a suspected  
30 incident of child abuse or neglect pursuant to sections 17a-101a to 17a-  
31 101d, inclusive, or 17a-103. No municipal employer shall discharge,  
32 discipline or otherwise penalize any employee because the employee,  
33 or a person acting on behalf of the employee, reports, verbally or in  
34 writing, to a public body concerning the unethical practices,  
35 mismanagement or abuse of authority by such employer. The  
36 provisions of this subsection shall not be applicable when the  
37 employee knows that such report is false.

38 (c) Any employee who is discharged, disciplined or otherwise  
39 penalized by his employer in violation of the provisions of subsection  
40 (b) may, after exhausting all available administrative remedies, bring a  
41 civil action, within [ninety] one hundred eighty days of the date of the  
42 final administrative determination or within [ninety] one hundred

43 eighty days of such violation, whichever is later, in the superior court  
 44 for the judicial district where the violation is alleged to have occurred  
 45 or where the employer has its principal office, for (1) the reinstatement  
 46 of [his] the employee's previous job, (2) payment of back wages and  
 47 reestablishment of employee benefits to which [he] the employee  
 48 would have otherwise been entitled if such violation had not occurred,  
 49 (3) noneconomic damages, (4) the removal of any discipline or penalty  
 50 imposed upon the employee, and (5) future economic damages  
 51 attributable to a reduction in the employee's wages in the event that  
 52 reinstatement of the employee's previous job is not feasible or  
 53 impracticable. An employee's recovery from any such action shall be  
 54 limited to such items, provided the court may allow to the prevailing  
 55 party his costs, together with reasonable attorney's fees to be taxed by  
 56 the court. Any employee found to have knowingly made a false report  
 57 shall be subject to disciplinary action by his employer up to and  
 58 including dismissal.

59 (d) This section shall not be construed to diminish or impair the  
 60 rights of a person under any collective bargaining agreement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	31-51m

**Statement of Purpose:**

To extend whistle-blower protections to an employee who reports to the employee's supervisor or manager a violation or a suspected violation of any state or federal law or regulation or any municipal ordinance or regulation.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*