
DIGEST

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Henry

HB No. 1269

Abstract: Provides remedies for reporting acts of alleged impropriety for a person that is a public employee because of a contractual arrangement with a governmental entity or agency whose contract is wrongfully suspended, reduced, or terminated as an act of reprisal for such reporting.

Present law provides that a public employee who reports acts of alleged impropriety related to the scope or duties of public employment or public office within a governmental entity to a person or entity of competent authority or jurisdiction shall be free from discipline or reprisal or threats of discipline or reprisal by the public employer. Present law prohibits an employee who has the authority to hire, fire, or discipline, a supervisor, an agency head, or an elected official from subjecting or threatening to subject a public employee to reprisal because of the employee's efforts to disclose acts of alleged impropriety. Present law requires that a public employee report to the Board of Ethics any suspension, demotion, or dismissal or threats of such actions which is a reprisal for disclosing information regarding acts of impropriety.

Proposed law further requires a person that is a public employee because of a contractual arrangement with a governmental entity or agency thereof whose contract with the governmental entity or agency is suspended, reduced, or terminated or who is threatened with the suspension, reduction, or termination of the contract with the governmental entity or agency as an act of reprisal for reporting an alleged act of impropriety in violation of present law, to report such action to the board.

Present law provides that a public employee who is wrongfully suspended, demoted, or dismissed shall be entitled to reinstatement of his employment and entitled to receive any lost income and benefits for the period of any suspension, demotion, or dismissal.

Proposed law adds that a person that is a public employee because of a contractual arrangement with a governmental entity or agency thereof whose contract is wrongfully suspended, reduced, or terminated shall be entitled to reinstatement of his contract and entitled to receive any lost compensation under the terms of the contract.

Present law provides that violations of present law are punishable by a fine of up to \$10,000. Also provides that an elected official may be censured and that a public employee may be removed, suspended, demoted, or have his pay reduced. Present law provides for the board to forward to the appropriate district attorney any findings of probable cause that a violation of a criminal law has occurred. Proposed law retains present law.

(Amends R.S. 42:1169(B))