

**SENATE BILL REPORT**

**SHB 1159**

**AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,  
FEBRUARY 22, 1994**

**Brief Description:** Disclosing improper governmental action.

**SPONSORS:** House Committee on Local Government (originally sponsored by Representatives H. Myers, Edmondson, Ludwig, Scott, Campbell, Kremen, Rayburn and Johanson)

**HOUSE COMMITTEE ON LOCAL GOVERNMENT**

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Majority Report:** Do pass as amended.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, McCaslin, Oke and Winsley.

**Staff:** Rod McAulay (786-7754)

**Hearing Dates:** March 23, 1993; February 17, 1994; February 22, 1994

**BACKGROUND:**

The Legislature enacted a local government "whistleblower" act during the 1992 session to provide protection to local government employees who report improper governmental action to proper authorities. The protection provided to local government employees is similar to the protection provided to state government employees under the state whistleblower act.

Both the state and the local government whistleblower acts prohibit retaliatory action against an employee who discloses information concerning the improper governmental action. "Retaliatory action" is defined under the state government whistleblower act to specifically include encouragement by a superior or coworkers to behave in a hostile manner towards the whistleblower. There is no similar specific prohibition contained in the local government whistleblower statutes.

A state government employee is prohibited under the state whistleblower law from using his or her official influence or authority to attempt to influence or coerce another employee from reporting improper governmental action. There is no similar prohibition contained in the local government whistleblower statutes.

**SUMMARY:**

The definition of "retaliatory action" under the local government "whistleblower" statutes is amended to include

hostile actions by another employee towards a whistleblower that were encouraged by a supervisor.

Local government employees are prohibited from directly or indirectly using or attempting to use their official authority or influence for the purpose of influencing or coercing another employee to not report improper governmental action.

**SUMMARY OF PROPOSED COMMITTEE AMENDMENT:**

Senior managers and officials are added to persons who are prohibited from encouraging hostile behavior by coworkers. Redundant language which prohibited the use of authority to discourage the reporting of improper government actions is deleted.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:** None

**TESTIMONY AGAINST:**

Existing law is working. Changes are not necessary. Already covered by existing language.

**TESTIFIED:** Kathleen Collins, AWC