

# Maryland Whistleblower Law

## SPP Title 5-301 – 5-310

- Applicable to all employees and State employees who are applicants for positions in the Executive Branch of State government, including a unit with an independent personnel system.
- The head of each principal unit shall provide their employees with written notice of the protections and remedies provided by this subtitle.
- A supervisor, appointing authority, or the head of a principal unit may not take or refuse to take any personnel action as a reprisal against an employee who:
  - Discloses information that the employee reasonably believes evidences:
    - An abuse of authority, gross mismanagement, or gross waste of money;
    - A substantial and specific danger to public health or safety;
    - A violation of law; or
- Following a disclosure under item (1) of this section seeks a remedy provided under this subtitle or any other law or policy governing the employee's unit.



This law applies to all employees and State employees who are applicants for positions in the Executive Branch of the State government, including a unit with an independent personnel system.

**Disclosure of information is protected.** Information protected under the Whistleblower Law may be reported to a supervisor, appointing authority, or the head of a principal unit who is in a position to correct the illegal wrongdoing. Also, a disclosure specifically prohibited by law may be reported to the Office of the Attorney General.

- An employee in the State Personnel Management System who seeks relief for a violation of SPP 5-305 may elect to file:
  - A complaint under SPP 5-309; or
  - A grievance under Title 12 of the article
- A complainant may be represented during the complaint process by any person they choose.
- A complaint under this subtitle must be filed within 6 months after the complainant first knew of or reasonably should have known of the violation.
- When a complaint is received by the OSEEOC, a copy of complaint is sent to the head of the principal unit named in the complaint: and advised to respond in writing to the complaint within **20 days** after receiving a copy.
- Within **60 days** after a complaint is received, it is investigated to determine whether a violation of SPP 5-305 occurred.
- A written decision is issued to the complainant and head of the principal unit outlining any remedial action taken.
- A complainant may appeal to the Office of Administrative Hearings within **10 days** after receiving a decision under SPP 5-309 or when a decision is not issued within **60 days** after the complaint is filed and the complainant requests a hearing.



410-260-7041

For more information, visit <https://dbm.maryland.gov/eo/Documents/Whistleblower-Policy.pdf>