

Session 110 - (1993-1994)

H 3682 General Bill, By Boan

A Bill to amend Sections 8-27-10, 8-27-20, 8-27-30, and 8-27-40, Code of Laws of South Carolina, 1976, relating to the protection from adverse personnel actions afforded and remedies allowed public employees who report certain misconduct, so as to limit protection to instances where an employee has reported in writing to an appropriate authority, to define "report", "appropriate authority", and "wrongdoing", to require an employee to have reported wrongdoing within sixty days of learning of the activity, to allow disciplinary action against an employee who files a report of wrongdoing in bad faith, to provide for disciplinary action against a supervisory employee who retaliates against an employee filing a good faith report, to require an employee whose report saves public funds to elect between the monetary awards authorized under this Chapter or the Employee Suggestion Program, if the employing agency participates, to eliminate the presumption that adverse personnel actions within one year after reporting misconduct are wrongful, to require an employee to have exhausted all available grievance or other administrative remedies, with a finding that the employee would not have been disciplined but for the filing of the report, to require any action brought by the employee to be a nonjury civil action brought in the county where the employment action occurred, to limit actual damages recoverable to twenty-five thousand dollars, to require an action to be brought within one year after the accrual of the cause of action or the exhaustion of other remedies, and to provide that the amendments provided in this Act, not including revised reporting requirements, apply to actions pending but in which no judgment has been entered as of the effective date of the Act.

03/11/93 House Introduced and read first time HJ-7

03/11/93 House Referred to Committee on Judiciary HJ-7