

City of Cincinnati

R.H.J.

An Ordinance No. 468-1987

Ordaining new Section 308-79 of Chapter 308 of the Cincinnati Municipal Code entitled Protected Employee Actions.

WHEREAS, it is in the best interest of the public health, safety and welfare to encourage and protect employees who report violations of law to governmental agencies; and

WHEREAS, such employees risk retaliatory employment action by their employers upon disclosure of such reports; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Section 308-79 of the Cincinnati Municipal Code is hereby ordained to read as follows:

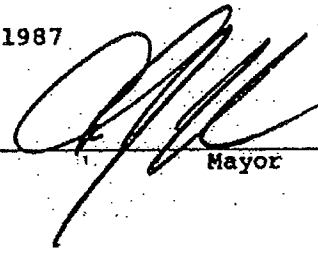
Sec. 308-79. Protected Employee Actions.

- (a) No employer shall discharge, suspend, demote or take any other adverse employment action in retaliation against an employee who discloses to any governmental agency an activity, policy or practice of the employer that the employee has reasonable cause to believe is in violation of law or in violation of a rule or regulation enacted pursuant to law.
- (b) No employer shall discharge, suspend, demote or take any other adverse employment action in retaliation against an employee who provides information to or testifies before any governmental agency conducting an investigation, hearing or inquiry into any violation of law by the employer or any violation by the employer of a rule or regulation enacted pursuant to law.
- (c) As used in this section, the term "governmental agency" means:
 - (1) The United States Congress, the Ohio General Assembly, the council of the city of Cincinnati, any elected governmental body and any member or employee thereof;
 - (2) Any federal or state judiciary and any member or employee thereof or any grand jury;
 - (3) Any federal, state or local regulatory, administrative, investigative or public agency or authority or any instrumentality thereof;
 - (4) Any federal, state or local law enforcement agency and any member or employee thereof;
 - (5) Any federal, state or local department of an executive branch of government; and
 - (6) Any division, board, bureau, office, committee or commission of any of the governmental agencies described above.

- (d) The provisions of this section may be enforced by an appropriate proceeding in equity in the Court of Common Pleas.
- (e) In addition to the available civil remedies, any violation of this section shall be a misdemeanor of the first degree.

Section 2. That the provisions of this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 12 A.D., 1987



Mayor

Attest: Sam L. Shepard
Clerk

I HEREBY CERTIFY THAT ORDINANCE NO. 468
19 87 WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 11-24-87.


Clerk of Council