

**CITY OF BALTIMORE
COUNCIL BILL 15-0524
(First Reader)**

Introduced by: Councilmember Kraft, President Young, Councilmembers Henry, Costello,
Scott, Stokes, Holton, Welch, Clarke, Reisinger, Curran, Mosby, Middleton, Spector
Introduced and read first time: April 20, 2015

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Health Department, Police Department,
Department of Housing and Community Development, Baltimore Development Corporation,
Department of Finance, Baltimore Hotel Corporation, Downtown Partnership, Visit Baltimore,
Department of Social Services, Office of Civil Rights: Wage Enforcement

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Labor and Employment – Human Trafficking Whistleblower Protection**

3 FOR the purpose of prohibiting retaliation against employees of certain employers for reporting
4 suspected human trafficking; defining certain terms; providing for certain penalties; and
5 generally relating to employee reports of suspected human trafficking.

6 BY adding

7 Article 11 - Labor and Employment
8 Section(s) 17-1 to 17-6, to be under the new subtitle,
9 “Subtitle 17. Retaliation for Human Trafficking Reports”
10 Baltimore City Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 11. Labor and Employment**

16 **SUBTITLE 17. RETALIATION FOR HUMAN TRAFFICKING REPORTS**

17 **§ 17-1. DEFINITIONS.**

18 (A) *IN GENERAL.*

19 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (B) *COVERED EMPLOYER.*

2 “COVERED EMPLOYER” MEANS ANY PERSON THAT EMPLOYS 5 OR MORE
3 FULL-TIME EQUIVALENT EMPLOYEES IN THE CITY OF BALTIMORE.

4 (C) *HUMAN TRAFFICKING.*

5 “HUMAN TRAFFICKING” MEANS:

- 6 (1) SEX TRAFFICKING IN WHICH A COMMERCIAL SEX ACT IS INDUCED BY FORCE, FRAUD,
7 OR COERCION, OR IN WHICH THE PERSON INDUCED TO PERFORM SUCH ACT HAS NOT
8 ATTAINED 18 YEARS OF AGE; OR
- 9 (2) THE RECRUITMENT, HARBORING, TRANSPORTATION, PROVISION, OR OBTAINING OF
10 A PERSON FOR LABOR OR SERVICES, THROUGH THE USE OF FORCE, FRAUD, OR
11 COERCION FOR THE PURPOSE OF SUBJECTION TO INVOLUNTARY SERVITUDE,
12 PEONAGE, DEBT BONDAGE, OR SLAVERY.

13 (D) *PERSON.*

14 (1) *IN GENERAL.*

15 “PERSON” MEANS:

- 16 (I) AN INDIVIDUAL;
- 17 (II) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR
18 REPRESENTATIVE OF ANY KIND; OR
- 19 (III) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
20 KIND.

21 (2) *EXCLUSIONS.*

22 “PERSON” DOES NOT INCLUDE A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR
23 UNIT OF A GOVERNMENTAL ENTITY.

24 **§ 17-2. {RESERVED}**

25 **§ 17-3. RETALIATION OR DISCRIMINATION PROHIBITED.**

26 A COVERED EMPLOYER MAY NOT TAKE OR REFUSE TO TAKE A PERSONNEL ACTION OR
27 OTHERWISE RETALIATE OR DISCRIMINATE AGAINST ANY PERSON AS A REPRISAL FOR THE
28 PERSON’S HAVING MADE A GOOD-FAITH REPORT OF A SUSPECTED ACT OF HUMAN TRAFFICKING
29 TO THAT PERSON’S EMPLOYER OR ANY APPROPRIATE AGENCY.

30 **§§ 17-4 TO 17-5. {RESERVED}**

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1 **§ 17-6. CRIMINAL PENALTIES.**

2 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR
3 AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1000 OR IMPRISONMENT FOR
4 NOT MORE THAN 90 DAYS OR BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
6 are not law and may not be considered to have been enacted as a part of this or any prior
7 Ordinance.

8 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
9 after the date it is enacted.