

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 15-0524**

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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

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Committee Report: Favorable  
Council action: Adopted  
Read second time: May 4, 2015

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**AN ORDINANCE CONCERNING**

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

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

BY adding

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

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

**Baltimore City Code**

**Article 11. Labor and Employment**

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

**§ 17-1. DEFINITIONS.**

(A) *IN GENERAL.*

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

(B) *COVERED EMPLOYER.*

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

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 (C) *HUMAN TRAFFICKING.*

2 “HUMAN TRAFFICKING” MEANS:

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

10 (D) *PERSON.*

11 (1) *IN GENERAL.*

12 “PERSON” MEANS:

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

18 (2) *EXCLUSIONS.*

19 “PERSON” DOES NOT INCLUDE A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR  
20 UNIT OF A GOVERNMENTAL ENTITY.

21 **§ 17-2. {RESERVED}**

22 **§ 17-3. RETALIATION OR DISCRIMINATION PROHIBITED.**

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

27 **§§ 17-4 TO 17-5. {RESERVED}**

28 **§ 17-6. CRIMINAL PENALTIES.**

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

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

4       **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
5 after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Mayor, Baltimore City