



Legislation Details (With Text)

File #: 15-0524 **Version:** 0 **Name:** Labor and Employment - Human Trafficking Whistleblower Protection

Type: Ordinance **Status:** Enacted

File created: 4/20/2015 **In control:** City Council

On agenda: **Final action:** 5/14/2015

Enactment date: **Enactment #:** 15-359

Title: 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.

Sponsors: James B. Kraft, President Young, Bill Henry, Eric T. Costello, Brandon M. Scott, Carl Stokes, Helen L. Holton, William "Pete" Welch, Mary Pat Clarke, Edward Reisinger, Nick Mosby, Sharon Green Middleton, Robert Curran, Rochelle Spector

Indexes: Human Trafficking, Labor and Employment, Protection

Code sections:

Attachments: 1. 15-0524~1st Reader, 2. BDC 15-0524, 3. BHC 15-0524, 4. City Solicitor 15-0524, 5. Visit Baltimore 15-0524, 6. Finance 15-0524, 7. Health 15-0524, 8. 15-0524~3rd Reader

Date	Ver.	Action By	Action	Result
6/1/2015	0	Mayor	Signed by Mayor	
5/11/2015	0	City Council	Approved and Sent to the Mayor	
5/4/2015	0	City Council	Advanced to 3rd Reader, for Final Passage	
5/4/2015	0	Judiciary and Legislative Investigations	Recommended Favorably	
4/28/2015	0	Judiciary and Legislative Investigations	Recommended Favorably	Pass
4/23/2015	0	The City Council	Refer to Housing and Community Development	
4/23/2015	0	The City Council	Refer to Dept. of Finance	
4/23/2015	0	The City Council	Refer to Dept. of Social Services	
4/23/2015	0	The City Council	Refer to Office of Civil Rights and Wage Enforcement	
4/23/2015	0	The City Council	Refer to Police Department	
4/23/2015	0	The City Council	Refer to Baltimore Hotel Corporation	
4/23/2015	0	The City Council	Refer to Dept. of Health	
4/23/2015	0	The City Council	Refer to Downtown Partnership of Baltimore, Inc.	
4/23/2015	0	The City Council	Refer to Visit Baltimore	
4/23/2015	0	The City Council	Refer to City Solicitor	
4/23/2015	0	The City Council	Refer to Baltimore Development Corporation	

4/20/2015	0	City Council	Assigned
4/20/2015	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing
4/20/2015	0	City Council	Introduced

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER
COPY.

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Kraft
A BILL ENTITLED

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.

(C) HUMAN TRAFFICKING.

◆HUMAN TRAFFICKING◆ MEANS:

(1) SEX TRAFFICKING IN WHICH A COMMERCIAL SEX ACT IS INDUCED BY FORCE, FRAUD, OR COERCION, OR IN WHICH THE PERSON INDUCED TO PERFORM SUCH ACT HAS NOT ATTAINED 18 YEARS OF AGE; OR

(2) THE RECRUITMENT, HARBORING, TRANSPORTATION, PROVISION, OR OBTAINING OF A PERSON FOR LABOR OR SERVICES, THROUGH THE USE OF FORCE, FRAUD, OR COERCION FOR THE PURPOSE OF SUBJECTION TO INVOLUNTARY SERVITUDE, PEONAGE, DEBT BONDAGE, OR SLAVERY.

(D) PERSON.

(1) IN GENERAL.

◆PERSON◆ MEANS:

(I) AN INDIVIDUAL;

(II) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE◆OF◆ANY KIND; OR

(III) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND.

(2) EXCLUSIONS.

◆PERSON◆ DOES NOT INCLUDE A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

◆ 17-2. {RESERVED}

◆ 17-3. RETALIATION OR DISCRIMINATION PROHIBITED.

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

◆◆ 17-4 TO 17-5. {RESERVED}

◆ 17-6. CRIMINAL PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A

MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1000 OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

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

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

dlr15-1150(2)~intro/15Apr15
art11/TrafficWhistle/tw

dlr15-1150(2)~intro/15Apr15
??3??
art11/TrafficWhistle/tw