

## DIVISION OF HUMAN RESOURCES

### 3.7 POLICY ON WHISTLEBLOWER PROTECTIONS

#### (a) Purpose and Scope

##### (1) Purpose

The purpose of this policy is to establish whistleblower protections for employees of the Maryland Judiciary.

The Maryland Judiciary is opposed to acts of retaliation taken against employees who disclose information as stated in Section (c)(1) on the part of any member of the Maryland Judiciary. This policy provides protections for employees who disclose such information.

##### (2) Scope

(A) This policy applies to:

- (i) applicants for employment;
- (ii) employees who are paid through the Central Payroll Bureau of the Comptroller; and
- (iii) employees of the State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.

(B) This policy does not apply to:

- (iv) locally funded employees in the circuit courts;
- (v) employees of the Attorney Grievance Commission and the Client Protection Fund;
- (vi) employees of the Register of Wills or the Orphans' Court; and
- (vii) justices, judges and magistrates

#### (b) Definitions

##### (1) Administrative Head:

- (A) For the Supreme Court of Maryland, the Clerk of the Court for all employees under the Clerk's supervision and the Chief Justice for all other employees of that Court;
- (B) For the Appellate Court of Maryland, the Clerk of the Court for all employees under the Clerk's supervision and the Chief Judge for all other employees of that Court
- (C) For the circuit courts, the Clerk of the Court for all employees under the Clerk's supervision, and the County Administrative Judge for all state employees under their supervision;
- (D) For the District Court, the Chief Judge of the District Court, the Chief Clerk, or the Administrative Clerk for all employees under their supervision;
- (E) For the Administrative Office of the Courts (AOC), the State Court Administrator;
- (F) For units, the head of the unit where the employee works; or,
- (G) Any person who serves as the authorized designee, by express written designation, of any of the foregoing persons.

**(2) Employee** – Any person employed by the Maryland Judicial Branch of Government and paid through the Central Payroll Bureau of the Comptroller, or employed by a unit, except justices, judges, elected officials, and employees of a Register of Wills Office or Orphans' Court.

**(3) Grievance** – An employee's written complaint as defined in the Judiciary Policy on Grievances.

- (4) **Judiciary Human Resources Division (JHRD)** – The division within the AOC that is responsible for, but not limited to, the following functions for State employees in the Maryland Judiciary: human resources policy development, administration, and interpretation; talent acquisition; employment and orientation services; employee benefits; position classification and salary administration; and employer-employee relations.
- (5) **Supervisor** – Any individual designated as a supervisor by the appropriate Administrative Head.
- (6) **Unit** – The State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.

### (c) Whistleblower Protection

#### (1) Reprisal Prohibited

A supervisor or Administrative Head may not take or refuse to take any personnel action as a reprisal against an employee solely because the employee discloses information that the employee reasonably believes evidences:

- (A) An abuse of authority;
- (B) Gross mismanagement;
- (C) A substantial and specific danger to the public health or safety; or,
- (D) A violation of law.

#### (2) Redress for Alleged Reprisal

An employee who believes they have suffered reprisal in violation of this policy may file a grievance pursuant to the procedures established in the Judiciary Policy on Grievances.

### (d) Interpretive Authority

The JHRD is responsible for the interpretation of this policy.

### (e) Not a Contract

This policy does not constitute or create an express or implied contract. It is not intended to, and does not, create contractual obligations with respect to any matter it covers.