

Senate Bill 51

Whistleblower and Public Data Protection Act

Senator Jackson

SUMMARY

This bill ensures that federal employees do not lose their professional state licensure for revealing violations of the law, and directs state agencies to protect scientific information and data from censorship or destruction by the federal government.

BACKGROUND

Under existing law, federal employees enjoy certain protections from employer retaliation for reporting or disclosing agency misconduct. The Federal Whistleblower Protection Act of 1989, for example, creates a process for federal employees to report violations of laws or regulations, gross mismanagement, waste of funds, abuses of authority, and dangers to public health or safety. California's Whistleblower Protection Statute (Labor Code Sec. 1102.5) similarly prevents non-federal employers from taking adverse actions against employees for disclosing violations of state or federal statutes, as well as noncompliance with local, state, or federal regulations.

Despite these protections, several actions and proposals advanced by President Donald Trump's administration indicate that the work of federal scientists, including those who study the causes and consequences of climate change, may be subject to new political interference and suppression efforts. Indeed, one of the first actions undertaken by the new administration was to impose restrictions at multiple federal agencies on employee communications, including protected whistleblower communications with members of Congress.

Without strong protections from employer retaliation, federal employees may be reluctant to disclose violations of law or other dangers to public health or safety to appropriate enforcement, regulatory, and oversight bodies. Similarly, these employees may feel restricted from publishing information or collaborating with others to advance their scientific pursuits.

SOLUTION - SB 51

This bill helps protect federal employees and other persons employed by, or who represent, governmental organizations who report improper governmental activity by specifying that protected whistleblower activities cannot result in the loss of state issued professional licenses or credentials. This bill also directs the Secretary for Environmental Protection to preserve scientific information and other data in the public domain from censorship or destruction orders from the federal government.

SUPPORT

City of Los Angeles
Engineers and Scientists of California, IFPTE Local 20
Environment California
Marin County Council of Mayors and Councilmembers
Union of Concerned Scientists

STATUS

Passed Senate Business & Professions Committee
3/27/17

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