

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2625 Session of
2002

INTRODUCED BY VEON, THOMAS, CALTAGIRONE, LESCOVITZ, CASORIO,
BELARDI, ROONEY, GEORGE, CAWLEY, JAMES, DeWEESE, DeLUCA,
STABACK, SANTONI, MARKOSEK, HORSEY, GRUCELA, COSTA, SOLOBAY,
WOJNAROSKI, CRUZ, HARHAI, SHANER, KELLER, MUNDY, J. EVANS,
MELIO, McCALL, BELFANTI, JOSEPHS, J. TAYLOR, LAUGHLIN,
TRELLO, LEVDANSKY, PALLONE, HERSHEY, YOUNGBLOOD, MANDERINO,
TIGUE, DALEY, DERMODY, BEBKO-JONES, STEELMAN, CORRIGAN,
SCRIMENTI, FREEMAN AND HESS, MAY 6, 2002

REFERRED TO COMMITTEE ON LABOR RELATIONS, MAY 6, 2002

AN ACT

1 Amending the act of December 12, 1986 (P.L.1559, No.169),
2 entitled "An act providing protection for employees who
3 report a violation or suspected violation of State, local or
4 Federal law; providing protection for employees who
5 participate in hearings, investigations, legislative
6 inquiries or court actions; and prescribing remedies and
7 penalties," extending the application of the act to
8 businesses.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definitions of "employee," "employer" and
12 "waste" in section 2 of the act of December 12, 1986 (P.L.1559,
13 No.169), known as the Whistleblower Law, are amended and the
14 section is amended by adding definitions to read:

15 Section 2. Definitions.

16 The following words and phrases when used in this act shall
17 have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

1 * * *

2 "Business." Any corporation, partnership, sole
3 proprietorship, firm, enterprise, franchise, association,
4 organization, holding company, joint-stock company,
5 receivership, trust or any legal entity organized for profit or
6 as a not-for-profit corporation or organization, that is not
7 under the control of any public body, including a medical
8 facility or private organization.

9 "Employee." A person who performs a service for wages or
10 other remuneration under a contract of hire, written or oral,
11 express or implied, for a public body or business.

12 "Employer." A person supervising one or more employees,
13 including the employee in question; a superior of that
14 supervisor; or an agent of a public body. or business.

15 * * *

16 "Medical facility." Any hospital, nursing home, clinic,
17 clinical laboratory, medical training institution, physician's
18 office, ambulatory surgical treatment center, mental health
19 facility, residential or outpatient drug and alcohol treatment
20 center or other health care facility or institution, that is not
21 under the operation or control of a public body.

22 "Private organization." Any company, organization,
23 association or business, including a nonprofit organization,
24 that is not under the control of any public body.

25 * * *

26 "Waste." An employer's conduct or omissions which result in
27 substantial abuse, misuse, destruction or loss of funds or
28 resources belonging to or derived from Commonwealth or political
29 subdivision sources or accounts of businesses.

30 * * *

1 Section 2. This act shall take effect in 60 days.