

CHAPTER 86. MUNICIPAL EMPLOYMENT

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86.01. Definitions. Subdivision 1. For the purposes of this chapter, the terms defined in this section shall have the meanings given them.

Subd. 2. "City" shall mean the City of Rochester acting through its officers, common council, supervisors, and department heads.

Subd. 3. "Employee" shall mean a person who performs services for hire on behalf of the City of Rochester. Employee does not include an independent contractor.

86.02. Reprisals. Subdivision 1. The City shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because:

- (a) the employee, or a person acting on behalf of any employee, in good faith, reports a violation or suspected violation of any provision of the Rochester Code of Ordinances or the Rochester Home Rule Charter to any governmental body or law enforcement official;
- (b) the employee is requested by a public body or office to participate in an investigation, hearing, inquiry; or
- (c) the employee refuses a City order to perform an action that the employee has an objective basis in fact to believe violates any provision of the Rochester Code of Ordinances or the Rochester Home Rule Charter, and the employee informs the City that the order is being refused for that reason.

Subd. 2. No public official or law enforcement official shall disclose, or cause to disclose, the identity of any employee making a report or providing information under subdivision 1 without the employee's consent unless the investigator determines that disclosure is necessary for prosecution. If the disclosure is necessary for prosecution, the employee shall be informed prior to the disclosure.

Subd. 3. This section does not permit an employee to make statements or disclosures knowing that they are false or that they are in reckless disregard of the truth.

Subd. 4. This section does not diminish or impair the rights of a person under any collective bargaining agreement.

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Subd. 5. This section does not permit disclosures that would violate federal, state, or municipal law or diminish or impair the rights of any person to the continued protection of confidentiality of communications provided by common law.

Subd. 6. An employee injured by a violation of this section may bring a civil action to recover any and all damages recoverable at law, together with costs and disbursements, including reasonable attorney's fees, and may receive such injunctive and other equitable relief as determined by the court.

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