#80
6-22-06

RESOLUTION NO. 20060622-

WHEREAS, Texas state and federal laws provide qualified protection to public employees in Texas from retaliation by their supervisors when such public employees speak upon matters of public concern or report violations of law; and

WHEREAS, the primary laws that provide this protection are the First Amendment of the United States Constitution and the Texas Whistleblower Act.

WHEREAS, the Supreme Court of the United States, in a 5-4 decision on May 30, 2006, held that government workers will no longer be offered First Amendment protection from retaliation when they point out misconduct as part of their work duties; and

WHEREAS, the City of Austin recognizes that protecting public employees who report violations of law as part of their official job duties helps to promote open and honest government; and

WHEREAS, noting that the Texas Whistleblower Act now offers the primary form of legal protection for government workers who point out violations of law as part of the employees' official duties , the City of Austin recognizes the importance of encouraging its public employees to come forward to report violations of law in the workplace ; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be directed to affirm the City's commitment to protecting its employees who report violations of laws in the workplace pursuant to the Texas Whistleblower Act and legal precedent interpreting that Act.

ADOPTED: June 22 **, 2006** **ATTEST:** _____

Shirley A. Gentry

City Clerk