

Notice Number 2023-126

Rule Number Lab 900

1. Agency Name & Address:

**Department of Labor
95 Pleasant Street
Concord, NH 03301**

2. RSA Authority: **RSA 275-E:7 &
RSA 275-E:8, V**

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment **X**

5. Short Title: **Whistleblowers' Protection Act**

6. (a) Summary of what the rule says and of any proposed amendments:

The Department of Labor proposes to readopt with amendment the existing rule of Lab 900 as required by RSA 275-E, the New Hampshire Whistleblowers' Protection Act. The rule sets form definitions, posting requirements, and procedures relating to the Act.

This proposal seeks to amend Lab 900 to:

- Clarify typographical errors in the current rule;
- Add additional information to the current public employee complaint form; and
- Clarify the Department of Labor's responsibility for processing the public employee complaint.

6. (b) Brief description of the groups affected:

The rule affects all employers and their employees in this state covered by the protection of the New Hampshire Whistleblowers' Protection Act.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State or Federal Statutes which the Rule Implements
Lab 901-902	RSA 275-E:2
Lab 903	RSA 275-E:7
Lab 904	RSA 275-E:4; RSA 275-E: 8; RSA 541-A:16 I, (b) (2)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Sarah F. Fuller, Esq.**

Title: **Hearings & Rules
Administrator**

Address: **NH Department of Labor
95 Pleasant Street
Concord, NH 03301**

Phone #: **603-271-3597**
Fax#: **603-271-6149**

E-mail: **Sarah.F.Fuller@dol.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711
(in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Friday, July 7, 2023**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, June 29, 2023, at 2:00 pm**

Place: **Department of Labor
95 Pleasant Street
Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 23:136, dated 05/22/2023

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing the proposed rules to the existing rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

3. **Cost and benefits of the proposed rule(s):**

A. **To State general or State special funds:**

None.

B. **To State citizens and political subdivisions:**

None.

C. **To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivisions in such a way as to necessitate additional local expenditures by the political subdivisions.