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HOUSE BILL No. 4675

May 24, 2011, Introduced by Reps. Ananich and Durhal and referred to the Committee on Commerce.

A bill to prohibit discrimination against unemployed individuals in advertisements for employment; and to provide for civil fines.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- Sec. 1. This act shall be known and may be cited as the "fair
 consideration of the unemployed act".
- 3 Sec. 2. As used in this act, "employer" means a person that 4 engages the services of 1 or more individuals for compensation.
 - Sec. 3. (1) An employer or an agent, representative, or designee of an employer shall not publish by traditional means or post electronically an employment advertisement that includes any of the following:
 - (a) A provision stating or suggesting that current employment is a job qualification.

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- 1 (b) A provision stating or suggesting that an application from
- 2 a job applicant who is currently unemployed will not be reviewed
- 3 and the applicant will not be considered for an interview or be
- 4 hired.
- 5 (c) A provision stating or suggesting that only applications
- 6 for employment from applicants who are currently employed will be
- 7 considered or reviewed.
- 8 (2) This act does not prohibit either of the following:
- 9 (a) Granting a preference in employment decisions to current
- 10 employees of the employer.
- 11 (b) Requiring previous experience that is relevant to the
- 12 employment.
- Sec. 4. An employer or an agent, representative, or designee
- 14 of an employer that violates this act is responsible for the
- 15 following:
- 16 (a) For the first violation, a civil fine of not more than
- **17** \$5,000.00.
- 18 (b) For each subsequent violation, a civil fine of not more
- **19** than \$10,000.00.