

HOUSE BILL No. 5416

March 18, 2014, Introduced by Reps. Hovey-Wright, Geiss, Singh, Robinson, Faris, Barnett, Talabi, Townsend, Phelps, Switalski, Brinks, Lamonte, Dianda, Lipton, Schor, McCann, Roberts, Slavens, Segal, Stanley, Dillon, Driskell, Cavanagh, Banks, Stallworth, Cochran, Greimel, Rutledge, Santana and Nathan and referred to the Committee on Judiciary.

A bill to prohibit an employer from discriminating against an individual based on reproductive health decisions; to prohibit an employer from making certain personal inquiries of employees or applicants for employment; to prohibit retaliation for actions taken to enforce this act; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) This act shall be known and may be cited as the
2 "employee reproductive health nondiscrimination act".

3 (2) As used in this act, "employer" means a person who has 1
4 or more employees and includes an agent of that person.

5 Sec. 2. An employer shall not do any of the following:

6 (a) Discriminate against an individual with respect to
7 compensation, terms, conditions, or privileges of employment on the

1 basis of the individual's or a dependent of the individual's
2 reproductive health decisions, or because of or on the basis of the
3 employer's personal beliefs concerning reproductive health
4 decisions or services.

5 (b) Inquire as to an employee's or applicant for employment's
6 reproductive health decisions, including use of a particular drug
7 or medical service.

8 (c) Retaliate against an employee because the employee has
9 made a charge, filed a complaint, testified, assisted, or
10 participated in an investigation, proceeding, or hearing concerning
11 an alleged violation of this act.

12 Sec. 3. (1) A person alleging a violation of this act may
13 bring a civil action for injunctive relief or damages, or both.

14 (2) An action commenced under subsection (1) may be brought in
15 the circuit court for the county where the alleged violation
16 occurred or for the county where the employer against whom the
17 civil complaint is filed resides or has its principal place of
18 business.

19 (3) Nothing in this act shall be construed to limit or
20 restrict any protections against employment discrimination under
21 any other law.

22 (4) As used in subsection (1), "damages" means damages for
23 injury or loss caused by each violation of this act, including
24 reasonable attorney fees.