

HOUSE BILL NO. 4436

May 06, 2025, Introduced by Reps. Neeley, Weiss, McFall, Morgan, Rheingans, Pohutsky, T. Carter, Hoskins, Price, Wilson, Martus, Brixie, Hope, Foreman, B. Carter, Breen, Rogers, Longjohn, Young, Wegela, McKinney, Skaggs, Wooden, Andrews, Mentzer, Paiz and Miller and referred to Committee on Economic Competitiveness.

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
(MCL 408.1001 to 408.1094) by adding section 66.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 **Sec. 66. (1) An employer shall not do any of the following:**
- 2 **(a) Discharge an employee or in any manner discriminate**
- 3 **against an employee who discloses information about an occupational**
- 4 **safety and health practice, workplace hazard, or communicable**

disease as that term is defined in section 5101 of the public health code, 1978 PA 368, MCL 333.5101, at the workplace to any of the following:

(i) The employer.

(ii) The employer's agent.

(iii) Another employee.

(iv) A governmental agency.

(v) The public, including through print, online, social, or other media.

(b) Require or attempt to require an employee to do either of the following:

(i) Enter into a contract or other agreement if the contract or agreement includes a provision that limits or prohibits the employee from disclosing information as described in subdivision (a). A provision in a contract or other agreement that violates this subparagraph is void.

(ii) Abide by a workplace policy that limits or prohibits the employee from disclosing information as described in subdivision (a). A policy that violates this subparagraph is void.

(c) Discharge an employee or in any manner discriminate against an employee who wears the employee's own personal protective equipment, such as a mask, faceguard, or gloves, if the equipment provides for more protection than the equipment provided by the employer.

(2) If an employer discharges an employee or in any manner discriminates against an employee not later than 90 days after the employee engages or attempts to engage in an activity that is protected under this section, there is a presumption that the employer violated this section. This presumption may be rebutted by

- 1 clear and convincing evidence that the employer's action was
- 2 otherwise authorized under law.