

HOUSE BILL NO. 4759

April 29, 2021, Introduced by Reps. Haadsma, Sabo, Koleszar, Bolden, Hope, Shannon, Pohutsky, Anthony, Steckloff, Cavanagh, Hertel, Stone, Brenda Carter, Kuppa, Morse, Liberati, Rogers, Tyrone Carter, Thanedar, Young, O'Neal, Scott, Breen, Brabec, Weiss, Tate and Cynthia Johnson and referred to the Committee on Workforce, Trades, and Talent.

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 to any of the following**
4 **information about an occupational safety and health practice or**

1 hazard related to COVID-19:

2 (i) The employer.

3 (ii) The employer's agent.

4 (iii) Another employee.

5 (iv) A governmental agency.

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

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

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

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

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

23 (2) If an employer discharges an employee or in any manner
24 discriminates against an employee within 90 days after the employee
25 engages or attempts to engage in an activity that is protected
26 under this section, there is a presumption that the employer
27 violated this section. This presumption may be rebutted by clear
28 and convincing evidence that the employer's action was otherwise
29 authorized under law.