

SENATE BILL NO. 623

October 22, 2025, Introduced by Senators CAVANAGH, CHANG, GEISS, SHINK and BAYER
and referred to Committee on Labor.

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
by amending section 65 (MCL 408.1065).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 65. (1) A person shall not discharge an employee or in
2 any manner discriminate against an employee because the employee
3 filed a complaint or instituted or caused to be instituted a
4 proceeding under or regulated by this act or has testified or is
5 about to testify in such a proceeding or because of the exercise **of**
6 **a right under this act** by the employee on behalf of ~~himself or~~
7 ~~herself the employee~~ or others. ~~of a right afforded by this act.~~

(2) An employee who believes that ~~he or she~~ **the employee** was discharged or otherwise discriminated against by a person in violation of this section may file a complaint with the department of labor alleging the discrimination ~~within 30~~ **not later than 180** days after the violation occurs. Upon receipt of the complaint, the department of labor **and economic opportunity** shall cause an investigation to be made as it considers appropriate. If, upon the investigation, the department determines that this section was violated, the department shall order all appropriate relief, including rehiring or reinstatement of an employee to ~~his or her~~ **the employee's** former position with back pay.

(3) The director of **the department of labor and economic opportunity**, ~~within~~ **not more than** 90 days after the receipt of a complaint filed under this section, shall notify the complainant of the determination under subsection (2).

(4) The employer or employee may request a review of the department's determination ~~within~~ **not more than** 15 working days after notification is issued. If a request for a review by ~~either~~ the employer or employee is not received by the department within ~~15 working days,~~ **the 15-working-day period**, in the absence of a showing of good cause for a late request, the department's determination is final. The employee, employer, and the department ~~shall~~ **must** be parties to a proceeding before a hearings officer brought ~~pursuant to~~ **under** this section.

(5) The director shall appoint hearings officers to make determinations in proceedings brought ~~pursuant to~~ **under** this section. All proceedings in a hearing ~~shall~~ **must** be conducted ~~pursuant to the procedures applicable to the trial of contested cases under Act No. 306 of the Public Acts~~ **in accordance with**

~~chapter 4 of the administrative procedures act of 1969, as amended.~~
1969 PA 306, MCL 24.271 to 24.288. The hearings officer shall affirm, modify, or rescind the order of the department and may order an employer who violates this section to pay attorney costs, hearing costs, and transcript costs. The hearings officer shall issue a determination, which constitutes a final disposition of the proceedings, to each party ~~within~~ **not later than** 30 working days after the conclusion of the hearing. The determination of the hearings officer ~~shall become~~ **becomes** the final agency order upon receipt by the parties.

(6) A party to the proceeding may obtain judicial review ~~within~~ **not later than** 60 days after receipt of the determination of the hearings officer ~~pursuant to Act No. 306 of the Public Acts of 1969, as amended.~~ **in accordance with chapter 6 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to 24.306.** Venue for an appeal under this act ~~shall~~ **must** be only in the circuit where the employee is a resident, where the employment occurred, or where the employer has a principal place of business.

(7) In absence of an appeal by an employer ~~who~~ **that** has not complied with the determination of the hearings officer, the director of labor **and economic opportunity** shall initiate, in the county where the violation occurred, ~~in the county of Ingham County,~~ or in the county where the employer has its principal office, the civil action necessary to enforce an order of the department ~~which~~ **that** has become a final agency order as prescribed ~~in~~ **under** this act.

(8) For the purpose of an investigation or proceeding under this section, the director of labor **and economic opportunity** or an authorized representative of the director may administer oaths and

1 affirmations, subpoena witnesses, compel their attendance, take
2 evidence, and require the production of records or other documents
3 ~~which~~**that** the department considers relevant or material to the
4 inquiry.