

# HOUSE BILL No. 4716

June 16, 2015, Introduced by Reps. Hovey-Wright, Robinson, Pagan, Geiss, Greig, Irwin, Singh, Faris, Brinks, Smiley, Talabi, Durhal, Love, Gay-Dagnogo, Garrett and Yanez and referred to the Committee on Commerce and Trade.

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  
8       basis of the individual's or a dependent of the individual's

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

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

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

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

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

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

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