

HOUSE BILL NO. 4439

May 06, 2025, Introduced by Reps. 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 66a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 66a. (1) An employer shall not discharge, discriminate**
2 **against, or retaliate against an employee who refuses to work or**
3 **report to work if all of the following conditions are met:**

4 **(a) The employee reasonably believes that working or reporting**
5 **to work would expose the employee, another employee, or the public**

1 to a communicable disease as that term is defined in section 5101
2 of the public health code, 1978 PA 368, MCL 333.5101, or to an
3 unsafe or hazardous condition.

4 (b) The employee or the employee's bargaining representative,
5 before the employee's refusal, requested the employer to correct
6 the condition that would result in the exposure described in
7 subdivision (a).

8 (c) The condition described in subdivision (b) was not
9 corrected at the time of the employee's refusal.

10 (d) The employee contacted, via telephone or email, the
11 Michigan occupational safety and health administration to report
12 the condition described in subdivision (b).

13 (2) If an employee refuses to work or report to work under
14 subsection (1) and is not reassigned to other work by the
15 employee's employer, the employer must pay to the employee the
16 wages that the employee would have otherwise earned for the period
17 of time that the condition described in subsection (1)(b) remains
18 uncorrected.

19 (3) If an employer discharges, discriminates against, or
20 retaliates against an employee not later than 90 days after the
21 employee engages or attempts to engage in an activity that is
22 protected under this section, there is a presumption that the
23 employer violated this section. This presumption may be rebutted by
24 clear and convincing evidence that the employer's action was
25 otherwise authorized by law.