

HOUSE BILL No. 6398

September 26, 2018, Introduced by Rep. Allor and referred to the Committee on Michigan Competitiveness.

A bill to amend 1980 PA 469, entitled
"The whistleblowers' protection act,"
by amending sections 2 and 7 (MCL 15.362 and 15.367).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. **(1)** An employer shall not discharge, threaten, or
2 otherwise discriminate against an employee regarding the employee's
3 compensation, terms, conditions, location, or privileges of
4 employment because the employee, or a person acting on behalf of
5 the employee, reports or is about to report, verbally or in
6 writing, a violation or a suspected violation of a law or
7 regulation or rule promulgated pursuant to law of this state, a
8 political subdivision of this state, or the United States to a
9 public body, unless the employee knows that the report is false, or

1 because an employee is requested by a public body to participate in
2 an investigation, hearing, or inquiry held by that public body, or
3 a court action.

4 (2) AN EMPLOYER SHALL NOT DISCHARGE, THREATEN, OR OTHERWISE
5 DISCRIMINATE AGAINST AN EMPLOYEE REGARDING THE EMPLOYEE'S
6 COMPENSATION, TERMS, CONDITIONS, LOCATION, OR PRIVILEGES OF
7 EMPLOYMENT BECAUSE THE EMPLOYEE, OR A PERSON ACTING ON BEHALF OF
8 THE EMPLOYEE, REPORTS OR IS ABOUT TO REPORT, VERBALLY OR IN
9 WRITING, A VIOLATION OR A SUSPECTED VIOLATION OF A STATE LAW
10 REGARDING ANCHORAGE OR A MARITIME SAFETY LAW OR REGULATION TO THE
11 UNITED STATES COAST GUARD OR OTHER APPROPRIATE FEDERAL AGENCY OR
12 DEPARTMENT, UNLESS THE EMPLOYEE KNOWS THAT THE REPORT IS FALSE, OR
13 BECAUSE AN EMPLOYEE IS REQUESTED BY THE UNITED STATES COAST GUARD
14 OR OTHER APPROPRIATE FEDERAL AGENCY OR DEPARTMENT TO PARTICIPATE IN
15 AN INVESTIGATION, HEARING, OR INQUIRY HELD BY THE UNITED STATES
16 COAST GUARD OR OTHER APPROPRIATE FEDERAL AGENCY OR DEPARTMENT, OR A
17 COURT ACTION.

18 Sec. 7. This act shall ~~DOES~~ not be ~~construed to~~ require an
19 employer to compensate an employee for participation in an
20 investigation, hearing, or inquiry held ~~by a public body in~~
21 ~~accordance with~~ **UNDER** section 2. ~~of this act.~~

22 Enacting section 1. This amendatory act takes effect 90 days
23 after the date it is enacted into law.