



**House
Legislative
Analysis
Section**

Washington Square Building, Suite 1025
Lansing, Michigan 48909
Phone: 517/373-6466

JOB DISCRIMINATION: MENTAL PATIENTS **RECEIVED**

APR 17 1989

Mich. State Law Library

House Bill 4312
Sponsor: Rep. Perry Bullard
Committee: Mental Health

Complete to 3-23-89

A SUMMARY OF HOUSE BILL 4312 AS INTRODUCED 2-28-89

The bill would create a new act to prohibit employers from discriminating against employees or potential employees who are receiving (or who have received) mental health services. The bill also would prohibit employers from asking insurance companies or health care corporations about mental health services an employee was receiving or had received, and employees who knew that another employee was receiving or had received mental health services would be required to keep that information confidential.

Someone alleging a violation of the bill could bring a civil action (both for appropriate injunctive relief and for actual damages) within 90 days after the alleged violation. The civil action could be brought in a circuit court in the county (a) where the alleged violation occurred, (b) where the complainant lived, or (c) where the alleged violator lived or has his or her principle place of business. If the court finds in favor of the complainant, it could order the hiring of the applicant for employment or the reinstatement of the employee, the payment of all or partial back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or other appropriate remedies. The court also could award the complainant all or a part of the costs of litigation, including reasonable attorney and witness fees.

The bill also would specify that it could not be interpreted to diminish or impair people's rights under collective bargaining agreements.

House Bill 4312 (3-23-89)