



# HOUSE BILL No. 5031

• September 21, 1993, Introduced by Reps. Rivers, Varga, Dobronski, Anthony, Schroer, Allen, Gubow, Jondahl, Pitoniak, Agee, Stallworth, Yokich, Profit, Hood, Scott, DeMars, Leland, Gire, Freeman and Wetters and referred to the Committee on Civil Rights and Women's Issues.

A bill to prohibit discrimination in employment of individuals relative to their engaging in certain activities outside the course of their employment; and to prescribe penalties and remedies.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "workers' free speech act".

3       Sec. 2. As used in this act:

4       (a) "Employee" means a person who performs a service for  
5 wages or other remuneration under a contract of hire, written or  
6 oral, express or implied.

7       (b) "Employer" means a person who has 5 or more employees.

8       Sec. 3. An employer shall not require as a condition of  
9 employment that an employee or prospective employee refrain from

1 or engage in any of the following outside the course of his or  
2 her employment, or otherwise discriminate against an employee  
3 with respect to his or her compensation or other terms or condi-  
4 tions of employment for refraining from or engaging in any of the  
5 following outside the course of his or her employment:

6 (a) Speaking, writing, expressing, or publishing his or her  
7 views.

8 (b) Peacefully assembling with others.

9 (c) Engaging in political activities.

10 Sec. 4. This act does not prohibit a term or condition of  
11 employment that is reasonably necessary to the normal operation  
12 of the employer's business or enterprise.

13 Sec. 5. (1) A person alleging a violation of this act may  
14 bring a civil action for appropriate injunctive relief or dam-  
15 ages, or both. Each violation constitutes a separate offense.

16 (2) An action commenced under this act may be brought in  
17 circuit court for the county in which the alleged violation  
18 occurred or for the county in which the employer against whom the  
19 civil complaint is filed resides or has his or her principal  
20 place of business.