

HOUSE BILL No. 5873

October 1, 2014, Introduced by Rep. Lamonte and referred to the Committee on Commerce.

A bill to prohibit discrimination against unemployed individuals in advertisements for employment; and to provide for civil fines.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "fair
2 consideration of the unemployed act".

3 Sec. 2. As used in this act, "employer" means a person that
4 engages or seeks to engage the services of 1 or more individuals
5 for compensation.

6 Sec. 3. (1) An employer or an agent, representative, or
7 designee of an employer shall not publish, disseminate, distribute
8 or post electronically an employment advertisement that includes
9 any of the following:

10 (a) A provision stating or suggesting that an application from

1 a job applicant who is currently unemployed will not be reviewed
2 and the applicant will not be considered for an interview or be
3 hired.

4 (b) A provision stating or suggesting that only applications
5 for employment from applicants who are currently employed will be
6 reviewed and only those applicants will be considered for an
7 interview or be hired.

8 (2) This act does not prohibit either of the following:

9 (a) Granting a preference in employment decisions to current
10 employees of the employer.

11 (b) Requiring previous experience that is relevant to the
12 employment.

13 Sec. 4. An employer or an agent, representative, or designee
14 of an employer that violates this act is responsible for the
15 following:

16 (a) For the first violation, a civil fine of not more than
17 \$5,000.00.

18 (b) For each subsequent violation, a civil fine of not more
19 than \$10,000.00.