

# HOUSE BILL No. 5610

February 20, 2018, Introduced by Reps. Pagan, Geiss, Guerra, Greig, Moss, Clemente, Sowerby, Rabhi, Ellison, Sneller, Cambensy, Wittenberg, Hammoud, Yancey, Chang, Brinks, Faris, Lasinski, Hoadley, Santana and Love and referred to the Committee on Commerce and Trade.

A bill to prohibit an employer from making certain personal inquiries of employees or applicants for employment; to prohibit discrimination and retaliation for actions to enforce the prohibition on personal inquiries; and to provide remedies.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. (1) This act shall be known and may be cited as the  
2       "employee contraceptive privacy act".

3       (2) As used in this act, "employer" means a person that has 1  
4       or more employees and includes an agent of that person.

5       Sec. 2. An employer shall not do any of the following:

6       (a) Inquire as to an employee's or applicant for employment's  
7       use or nonuse of contraceptives.

8       (b) Discriminate against an employee or applicant for  
9       employment for failure to provide information concerning use or

1 nonuse of contraceptives.

2 (c) Retaliate or discriminate against an employee because the  
3 employee has made a charge, filed a complaint, testified, assisted,  
4 or participated in an investigation, proceeding, or hearing  
5 concerning an alleged violation of this act.

6 Sec. 3. (1) A person alleging a violation of this act may  
7 bring a civil action for appropriate injunctive relief or damages,  
8 or both.

9 (2) An action commenced pursuant to subsection (1) may be  
10 brought in the circuit court for the county where the alleged  
11 violation occurred or for the county where the individual or entity  
12 against whom the civil complaint is filed resides or has its  
13 principal place of business.

14 (3) As used in subsection (1), "damages" means damages for  
15 injury or loss caused by each violation of this act, including  
16 reasonable attorney fees.

17 Enacting section 1. This act takes effect 90 days after the  
18 date it is enacted into law.