

HOUSE BILL No. 6091

May 30, 2018, Introduced by Rep. Sabo and referred to the Committee on Government Operations.

A bill to prohibit certain employers from requiring employees and employees' spouses and dependents to participate in certain activities; and to provide sanctions 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 "employee benefits relinquishment act".

3 Sec. 3. As used in this act:

4 (a) "Employee" means an individual who receives compensation
5 for performing services for an employer under an express or implied
6 contract of hire.

7 (b) "Employer" means an individual or entity that employs 1 or
8 more employees. Employer does not include this state, an agency of
9 this state, or a political subdivision of this state.

1 Sec. 5. An employer that offers or contributes to health
2 insurance coverage for its employees shall not require an employee
3 who opts out of the health insurance coverage, or the employee's
4 spouse or dependent, to participate in an exit interview or exit
5 program as a condition of receiving a benefit the employer offers
6 to employees who opt out of the health insurance coverage.

7 Sec. 7. (1) An employer that violates or threatens or attempts
8 to violate section 5 is liable to an employee affected by the
9 violation, threat, or attempt for damages equal to the opt-out
10 benefit that the employee did receive or would have received. An
11 employee affected by the violation, threat, or attempt may bring a
12 civil action for damages or injunctive relief, or both. In
13 addition, a court shall award court costs and reasonable attorney
14 fees to an employee who prevails in an action brought under this
15 subsection.

16 (2) The attorney general may bring an action under subsection
17 (1) on behalf of 1 or more employees affected by a violation or
18 threatened or attempted violation of section 5.

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