

HOUSE BILL NO. HB0181

Fair employment practices.

Sponsored by: Representative(s) Byrd, Barbuto, Carson, Connolly, Esquibel, K., Millin and Wallis

A BILL

for

1 AN ACT relating to fair employment practices; providing
2 that retaliation or discrimination for the use of sick
3 leave is an unfair employment practice; providing
4 penalties; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 27-9-105(a) by creating a new
9 paragraph (v) and 27-9-106(n)(intro), (iii) and by creating
10 a new paragraph (v) are amended to read:

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12 **27-9-105. Discriminatory and unfair employment**
13 **practices enumerated; limitations.**

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15 (a) It is a discriminatory or unfair employment
16 practice:

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(v) For an employer to take retaliatory personnel action or discriminate against an employee because the employee:

(i) Requests or uses sick leave in accordance with the employer's policy on sick leave; or

(ii) Files a complaint with the department alleging the employer's violation of this subsection.

27-9-106. Filing of complaint; determination; appeal for hearing.

(n) Where the hearing officer determines that the employer, employment agency or labor organization has engaged in any discriminatory or unfair employment practice as defined in this chapter, the hearing officer's decision may include any one (1) or more of the following provisions:

(iii) Require the posting of notices, the making of reports as to the manner of compliance and any other

1 relief that the hearing officer deems necessary and
2 appropriate to make the complainant whole;~~or~~

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4 (v) In the case of violation of W.S.
5 27-9-105(a)(v), assess a civil penalty of five hundred
6 dollars (\$500.00) for a first offense and one thousand
7 dollars (\$1,000.00) for a second and subsequent offenses.

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9 **Section 3.** This act is effective July 1, 2009.

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(END)