

HOUSE BILL 576

IN THE HOUSE

February 5, 1979

Introduced and referred to  
Committee on State Administration.

February 19, 1979

Committee recommend bill, do  
not pass

February 20, 1979

Report adopted.

1 House E BILL NO. 576  
 2 INTRODUCED BY Mayor Dunning, Frater, Keel, Robbins  
 3 Metcalfe, Holmbe, Doser, Manning, Huenchler  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE UNLAWFUL THE  
 5 DISCHARGE OF AN EMPLOYEE BECAUSE THE EMPLOYEE HAS MADE  
 6 COMPLAINT OR INSTITUTED A PROCEEDING UNDER THE LAW; AND  
 7 PROVIDING DISCHARGE HEARING PROCEDURES AND REMEDIES."  
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10 Section 1. Retaliation prohibited. No employer may  
 11 discharge an employee because he has filed a complaint or  
 12 instituted a proceeding under law.  
 13 Section 2. Hearing procedure. (1) An employee may  
 14 file a complaint with the department of labor and industry  
 15 within 10 days after discharge alleging unlawful discharge  
 16 because he has filed a complaint or instituted a proceeding  
 17 for the enforcement of a wage or benefit.  
 18 (2) A notice of contention and an opportunity for  
 19 hearing shall be sent to the employer within 10 days after  
 20 the date of filing the complaint.  
 21 (3) A hearing must be held within 30 days after the  
 22 date of notice of hearing is sent to the parties. The  
 23 department of labor and industry shall thereafter make  
 24 findings of fact, conclusions of law, and issue an order.  
 25 (4) At any time after the date of filing the complaint

1 and before the order is sent to the parties, the parties may  
 2 reach a settlement between themselves.  
 3 (5) Either party may appeal the final decision of the  
 4 department of labor and industry to the district court.  
 5 Section 3. Remedy. Any employee unlawfully discharged  
 6 under [this act] is entitled to the money he would have  
 7 earned if he had not been discharged.  
 -End-