

HOUSE BILL NO. 918

2/21 Introduced
2/21 Referred to Judiciary
2/22 Hearing
2/23 Committee Report-Bill Pass As Amended
2/27 2nd Reading Do Not Pass
2/27 Bill Killed

1 HOUSE BILL NO. 918
2 INTRODUCED BY Ramsey Hannah Mercer
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING ACTIONS FOR
5 WRONGFUL TERMINATION OF EMPLOYMENT."
6

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Action for wrongful termination of
9 employment. (1) An express or implied covenant of good faith
10 and fair dealing is not breached if the employer acts in
11 accordance with a statute or an express contract of
12 employment.

13 (2) There is no expectancy of job security unless it
14 is expressly created by a contract of employment.

15 (3) Termination of temporary or seasonal employment,
16 of an employee on probation, or of any employment for
17 financial or other economic reasons does not violate an
18 express or implied covenant of good faith and fair dealing
19 unless there is an express contract of employment that the
20 termination violates.

21 (4) There is no cause of action for negligent
22 termination of employment.

23 (5) After termination of employment, an offer of
24 reinstatement to the same or substantially equivalent
25 employment stops the further accrual of any damages that may

1 be awarded for an alleged wrongful termination in violation
2 of public policy or an implied covenant of good faith and
3 fair dealing.

4 (6) In an action for wrongful termination in violation
5 of public policy or an implied covenant of good faith and
6 fair dealing, the judge shall instruct the jury on the
7 pertinent statutory and case law and any employment contract
8 between the parties.

9 (7) The statements made and findings and conclusions
10 issued in an administrative or court proceeding relating to
11 unemployment compensation are inadmissible in an action for
12 wrongful termination in violation of public policy or an
13 implied covenant of good faith and fair dealing.

-End-



INTRODUCED BILL
HB 918

APPROVED BY COMMITTEE
ON JUDICIARY

HOUSE BILL NO. 918

INTRODUCED BY RAMIREZ, HANNAH, MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING ACTIONS FOR
WRONGFUL TERMINATION OF EMPLOYMENT."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Action for wrongful termination of
employment. (1) An express or implied covenant of good faith
and fair dealing is not breached if the employer acts in
accordance with a statute or an express contract of
employment.

(2) There is no expectancy of job security unless it
is expressly created by a STATUTE OR contract of employment.

(3) Termination of temporary or seasonal employment,
~~OR of an employee on probation, or of any employment for~~
~~financial or other economic reasons~~ does not violate an
express or implied covenant of good faith and fair dealing
unless ~~there is an express~~ THE TERMINATION VIOLATES A
STATUTE OR contract of employment ~~that the termination~~
~~violates.~~

(4) There is no cause of action for negligent
termination of employment.

(5) After termination of employment, ~~an~~ A GOOD FAITH
offer of reinstatement to the same or substantially

equivalent employment stops the further accrual of any
damages that may be awarded for an alleged wrongful
termination in violation of public policy or an implied
covenant of good faith and fair dealing.

(6) In an action for wrongful termination in violation
of public policy or an implied covenant of good faith and
fair dealing, the judge shall instruct the jury on the
pertinent statutory and case law and any employment contract
between the parties.

~~(7) The statements made and findings and conclusions
issued in an administrative or court proceeding relating to
unemployment compensation are inadmissible in an action for
wrongful termination in violation of public policy or an
implied covenant of good faith and fair dealing.~~

-End-

