

By: Representative Blackmon

To: Insurance

HOUSE BILL NO. 219

1 AN ACT TO REQUIRE THAT NO PERSON SHALL DISCHARGE OR
2 DISCRIMINATE AGAINST ANY EMPLOYEE WHO FILES A GOOD-FAITH WORKERS'
3 COMPENSATION CLAIM; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. (1) No person shall discharge or in any other
6 manner discriminate against any employee because the employee has
7 in good faith filed a claim, employed counsel to represent him or
8 her in a claim, instituted, or caused to be instituted, in good
9 faith, any proceeding under the Mississippi Workers' Compensation
10 Law or has testified or is about to testify in any such
11 proceeding.

12 (2) A person who violates any provision of subsection (1) of
13 this section shall be liable for reasonable damages suffered by an
14 employee as a result of the violation, and an employee discharged
15 in violation of this section shall be entitled to be reinstated to
16 his or her former position. The burden of proof shall be upon the
17 employee and such burden shall be a preponderance of the evidence.

18 (3) The chancery courts of the State of Mississippi shall
19 have jurisdiction to issue injunctions restraining violations of
20 this section.

21 SECTION 2. This act shall take effect and be in force from
22 and after July 1, 1999.