

By: Reynolds

H.B. No. 4251

A BILL TO BE ENTITLED

AN ACT

relating to protection for certain essential workers and health care practitioners in the private sector who report certain activities or violations of law.

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

SECTION 1. Subtitle A, Title 2, Labor Code, is amended by adding Chapter 24 to read as follows:

CHAPTER 24. EMPLOYMENT PROTECTIONS FOR ESSENTIAL WORKERS AND

HEALTH CARE PRACTITIONERS REPORTING

CERTAIN ACTIVITIES OR VIOLATIONS OF LAW

Sec. 24.001. DEFINITIONS. In this chapter:

(1) "Commission," "employee," and "employer" have the meanings assigned by Section 61.001.

(2) "Essential worker" means an individual who is designated by the commission as an essential critical infrastructure worker based on guidance issued during the coronavirus disease (COVID-19) pandemic by the United States Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

(3) "Health care practitioner" means an individual who holds a license, certificate, permit, or other authorization to engage in a health care profession in this state.

(4) "Law" means:

(A) a state or federal statute;

1                   (B) an ordinance of a local government; or

2                   (C) a rule adopted under a statute or ordinance.

3                   (5) "Personnel action" means an action that affects an  
4 employee's compensation, promotion, demotion, transfer, work  
5 assignment, or performance evaluation.

6                   (6) "Report" means a written or oral employee report  
7 made under Section 24.004.

8                   Sec. 24.002. EXEMPTION. This chapter does not apply to an  
9 employee of a state agency or local government subject to Chapter  
10 554, Government Code.

11                   Sec. 24.003. APPLICABILITY. This chapter applies only to  
12 an employee who is employed in the capacity of an essential worker  
13 or health care practitioner.

14                   Sec. 24.004. EMPLOYER RETALIATION PROHIBITED. An employer  
15 may not suspend or terminate the employment of, or take other  
16 adverse personnel action against, an employee who is employed by  
17 the employer as an essential worker or health care practitioner  
18 because the employee has reported activities within the workplace  
19 that the employee reasonably believes compromise patient health or  
20 safety or workplace safety or that constitute a violation of law if  
21 the employee makes the report:

22                   (1) in good faith; and

23                   (2) to:

24                   (A) an appropriate law enforcement authority;

25                   (B) an appropriate state or federal agency or  
26 other regulatory authority; or

27                   (C) a supervisor, officer, or other appropriate

1 person who exercises managerial authority for the employer.

2 Sec. 24.005. UNLAWFUL EMPLOYMENT PRACTICE. An employer who  
3 violates this chapter commits an unlawful employment practice under  
4 Chapter 21.

5 SECTION 2. Chapter 24, Labor Code, as added by this Act,  
6 applies only to an unlawful employment practice that occurs on or  
7 after the effective date of this Act.

8 SECTION 3. This Act takes effect September 1, 2025.