

By: Van Arsdale

H.B. No. 3257

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prohibition of certain discrimination against an
3 employee regarding a workers' compensation claim.

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

5 SECTION 1. Section 451.001, Labor Code, is amended to read
6 as follows:

7 Sec. 451.001. DISCRIMINATION AGAINST EMPLOYEES PROHIBITED.

8 (a) In this section, "employer" has the meaning assigned by Section
9 401.011.

10 (b) An employer [~~A person~~] may not discharge or in any other
11 manner discriminate against an employee because the employee has:

12 (1) filed a workers' compensation claim in good faith;

13 (2) hired a lawyer to represent the employee in a
14 claim;

15 (3) instituted or caused to be instituted in good
16 faith a proceeding under Subtitle A; or

17 (4) testified or is about to testify in a proceeding
18 under Subtitle A.

19 SECTION 2. Section 451.001, Labor Code, as amended by this
20 Act, applies only to an action filed under Chapter 451, Labor Code,
21 on or after the effective date of this Act. An action filed before
22 the effective date of this Act is governed by the law in effect on
23 the date the action was filed, and the former law is continued in
24 effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2005.