

1 SB139
2 95976-1
3 By Senator Smitherman
4 RFD: Judiciary
5 First Read: 05-FEB-08

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8 SYNOPSIS: Under existing law, an employee may not be
9 terminated solely because he or she has instituted
10 an action to recover workers' compensation
11 benefits.

12 This bill would provide that an employee may
13 not be terminated by an employer solely or
14 substantially due to making a claim for workers'
15 compensation.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 To amend Section 25-5-11.1, Code of Alabama 1975,
22 relating to the termination of employees for maintaining a
23 workers' compensation action, to provide that an employee may
24 not be terminated by an employer solely or substantially due
25 to making a claim for workers' compensation.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 25-5-11.1, Code of Alabama 1975,
2 is amended to read as follows:

3 "§25-5-11.1.

4 "No employee shall be terminated by an employer
5 solely or substantially because the employee has instituted or
6 ~~maintained any action against the employer~~ made a claim to
7 recover workers' compensation benefits under this chapter or
8 solely or substantially because the employee has filed a
9 written notice of violation of a safety rule pursuant to
10 subdivision (c) (4) of Section 25-5-11."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.