

HOUSE BILL 596

By Powell

AN ACT to amend Tennessee Code Annotated, Title 8 and
Title 50, relative to employment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, is amended by adding
the following as a new part:

50-1-1101.

This part is known and may be cited as the "No Quit Act."

50-1-1102.

(a) As used in this part:

(1) "Commissioner" means the commissioner of labor and workforce
development or the commissioner's designee;

(2) "Employee" means an individual who performs services for an
employer for valuable consideration, and does not include a self-employed
independent contractor;

(3) "Employer" means an individual or entity that employs thirty-five (35)
or more employees and includes this state and political subdivisions of this state;
and

(4) "Political subdivision" means a local governmental entity, including a
municipality, metropolitan government, county, utility district, school district,
public building authority, development district created and existing pursuant to
the laws of this state, or an instrumentality of government created by one (1) or
more local governmental entities.

50-1-1103.

(a)

(1) If an employer requests that an employee voluntarily resign, then the employer shall provide the employee with a written document that:

(A) Informs the employee of what rights, privileges, and benefits the employee waives or loses if the employee voluntarily resigns; and

(B) Provides a space for the employee to sign if the employee voluntarily resigns, acknowledging that the employee received the notice required by this section and that the resignation is voluntary.

(2) An employer shall not accept or recognize a resignation made in response to the employer's request until the employer provides the notice required by subdivision (a)(1) and the employee provides written confirmation, as described in subsection (b), that the employee is voluntarily resigning.

(b)

(1) If the employee chooses to voluntarily resign, then the employer shall obtain the employee's signature on the document required by subdivision (a)(1).

(2) The employer shall:

(A) Provide the employee with a copy of the signed notice; and

(B) Keep the signed notice or a copy of it on file for a minimum of six (6) months from the date on which the employee signed the notice.

50-1-1104.

(a) An employee may file a complaint for a violation of this section with the commissioner. The commissioner shall allow a complaint to be filed through a form on the department of labor and workforce development's website.

(b) The commissioner may request to see the signed notice document required by § 50-1-1103. If the commissioner requests to see the document within the time period during which the employer is required to keep the signed notice, then the employer shall provide the original or a copy of the signed notice document.

(c) The commissioner shall:

(1) Provide a warning to an employer for the employer's first two (2) violations of this section; provided, that the employer's first two (2) violations are not made knowingly or willfully; and

(2) Promulgate rules providing the penalty for a violation of this section that is committed knowingly, willfully, or subsequently to a second violation as described in subdivision (c)(1). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(d) An employer that commits a knowing or willful violation, or a third or subsequent violation after a violation as described in subdivision (c)(1) is subject to the penalty provided by rule promulgated pursuant to subdivision (c)(2).

SECTION 2. For the purpose of promulgating rules, this act takes effect upon becoming a law. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it, and applies to prohibited acts occurring on or after that date.