

SENATE BILL 2543

By Tate

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 8 and Title 50, relative to retaliatory discharge
of employees.

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

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, Part 1, is amended by adding the following new section:

(a) An employer shall not discharge an employee if the basis for discharge is solely motivated by knowledge or belief that the employee intends to file or has filed a claim under this chapter 6 or that the employee has testified or is about to testify in any proceeding under this chapter. The discharge of a person who has filed a fraudulent claim is not a violation of this section.

(b) A former employee alleging retaliatory discharge in violation of this section may bring a civil action in a court of competent jurisdiction, subject to the provisions of § 50-1-801. The court has jurisdiction, for cause shown:

(1) To enjoin violations and order appropriate relief, including the payment of actual damages and attorney's fees and court costs to successful plaintiffs;

(2) To require the rehiring and reinstatement of the former employee; and

(3) To award back pay, plus interest at the judgment rate of interest.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.