

2018 Human Resources Bills

SB1421/HB1329 LABOR LAW: Wage theft.

Sponsors: Sen. Harris, Lee , Rep. Stewart, Mike

Summary: Amends language that requires an employer who fails to pay the full wages due and owed to an employee, to pay the employee the unpaid wages due, including any interest, and an additional amount equal to two (2) times the unpaid wages due. Allows an employee to file a complaint with the department of labor and workforce development, upon filing a complaint, the department shall investigate whether the employee is entitled to remedies. Adds language to the "Tennessee Wage Protection Act" to specify that "The general assembly finds as a matter of public policy that it is necessary to declare the theft of wages and the denial of fair compensation for work completed to be against the laws and policies of this state. An employee who is the victim of theft of wages or the denial of fair compensation may seek redress pursuant to § 50-2-103."

Fiscal Note: (Dated March 30, 2017) NOT SIGNIFICANT

Senate Status: 02/13/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/15/17 - Referred to House Consumer & Human Resources Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 50, relative to wage theft.

SB1615/HB1714 WORKERS COMPENSATION: Requirements for workers' compensation insurer - claims office in state.

Sponsors: Sen. Johnson, Jack , Rep. Lynn, Susan

Summary: Deletes requirement that every workers' compensation insurer that provides insurance for Tennessee workers' compensation claims be required to maintain a claims office or to contract with a claims adjuster located within this state.

Fiscal Note: (Dated February 7, 2018) NOT SIGNIFICANT

Senate Status: 01/18/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/24/18 - Referred to House Consumer & Human Resources Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, relative to workers' compensation claims.

SB1769/HB1861 LABOR LAW: Employment protections for people who are victims of domestic abuse or sexual assault.

Sponsors: Sen. Yarbro, Jeff , Rep. Akbari, Raumesh

Summary: Prohibits employers from terminating employment of an employee in result taking time off from work for listed reasons when the employee is a victim of domestic abuse or sexual assault. The employee is required to notify the employer of intended time off as soon as possible and upon returning to work must provide documentation for time off within two business days. Employees who have one year to bring civil action against employer who has violated these terms.

Fiscal Note: (Dated February 1, 2018) NOT SIGNIFICANT

Senate Status: 02/14/18 - Failed in Senate Judiciary Committee, to lack of a second.

House Status: 01/31/18 - Referred to House Consumer & Human Resources Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 36, Chapter 3, Part 6 and Title 50, Chapter 1, relative to victims of domestic abuse or sexual assault.

SB1813/HB1768 TORT LIABILITY: Phantom Damages Elimination Act.

Sponsors: Sen. Ketron, Bill , Rep. Sargent, Charles

Summary: STATE SUMMARY: - As introduced, enacts the "Phantom Damages Elimination Act," which provides that in a civil action for damages because of injury, economic damages for medical care and treatment are limited to the amount actually paid by the claimant or the amount that is actually necessary to satisfy the unpaid charges for which the claimant or a third party on behalf of the claimant has a legal obligation to pay.

Senate Status: 01/29/18 - Referred to Senate Judiciary Committee.

House Status: 01/30/18 - Referred to House Civil Justice Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 24 and Title 29, relative to the recovery of certain tort damages.

SB1836/HB1797 LABOR LAW: Tennessee Pay Equality Transparency Act.

Sponsors: Sen. Kyle, Sara , Rep. Clemmons, John

Summary: Enacts the Tennessee Pay Equality Transparency Act, which details a list of items an employer cannot prohibit their employee from in regards to discussing or disclosing the employee's wages or the wages of another employee of the employer. Protects the employee from discharge, discipline, or discrimination against an employer penalizing the employee from discussing or disclosing the employee's wages with another employee or the employer.

Senate Status: 01/29/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/30/18 - Referred to House Consumer & Human Resources Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, relative to the "Tennessee Pay Equality Transparency Act."

SB1863/HB1904 LABOR LAW: TN Pay Equality Act.

Sponsors: Sen. Kyle, Sara , Rep. Clemmons, John

Summary: Enacts the TN Pay Equity Act. Clarifies that wage rate differentials based on a seniority system, a merit system, or other factors other than sex are not prohibited. Requires the commissioner of labor and workforce development to develop guidelines to enable employers to evaluate job categories and the guidelines must be designed to enable employers to voluntarily compare wages paid for different jobs with the goal of eliminating unfair pay disparities between occupations traditionally dominated by men or women. Requires these guidelines to be available to the governor and speaker of the senate and house no later than September 1, 2018. Classifies a violation as when an individual becomes subject to a discriminatory compensation decision or practice and a violation of this act is a Class A misdemeanor, subject to a fine only.

Senate Status: 01/31/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/31/18 - Referred to House Consumer & Human Resources Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, relative to sex discrimination.

SB2088/HB2392 LABOR LAW: Certain acts of harassment, intimidation, or bullying as unlawful employment practices.

Sponsors: Sen. Kyle, Sara , Rep. Miller, Larry

Summary: Establishes the Healthy Workplace Act to ensure legal protection from harassment, intimidation, or bullying for any constitutionally protected class. Recognizes certain actions as unlawful employment practice. Requires that any person injured as a result of violation of this action have a civil cause of action no later than one year from the last act that constitutes a violation. Requires employers to adopt a policy prohibiting harassment, intimidation, and bullying by December 31, 2019.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/15/18 - Set for House Consumer & Human Resources Subcommittee 02/21/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 21; Title 39 and Title 50, Chapter 1, relative to employee workplace safety.

SB2475/HB2304 WORKERS COMPENSATION: Termination date on the recovery of attorney fees and other costs against an employer.

Sponsors: Sen. Roberts, Kerry , Rep. Beck, Bill

Summary: Removes the termination date for the recovery of reasonable fees against an employer in a workers' compensation case.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/18 - Referred to House Consumer & Human Resources Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Section 50-6-102 and Section 50-6-226, relative to workers' compensation claims.

SB2543/HB2411 WORKERS COMPENSATION: Prohibits retaliatory discharge of an employee under workers' compensation law in certain circumstances.

Sponsors: Sen. Tate, Reginald , Rep. Thompson , Dwayne

Summary: Prohibits employers from discharging an employee based solely on the belief that the employee is going to file workers compensation. Authorizes former employees claiming retaliatory discharge to bring civil action against the former employer. Authorizes jurisdiction of the court to award certain damages to successful plaintiffs.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/18 - Referred to House Consumer & Human Resources Subcommittee.

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

SB2544/HB2333 WORKERS COMPENSATION: Retaliatory discharge concerning workers' compensation claims.

Sponsors: Sen. Tate, Reginald , Rep. Cooper, Barbara
Summary: Prohibits an employer from discharging an employee if the discharge is motivated to any extent or knowledge that the belief that the employee intends to file or has filled a workers' compensation claim. Authorizes the court to restrain violations and order appropriate relief with back pay plus interest at the judgement rates.
Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/18 - Referred to House Consumer & Human Resources Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 50, relative to retaliatory discharge concerning workers' compensation claims.

SB2567/HB2579 GOVERNMENT REGULATION: Enforcement of federal immigration laws.

Sponsors: Sen. Hensley, Joey , Rep. Ragan, John
Summary: Authorizes the chief of police from a municipality to negotiate terms of a memorandum with the United States department of homeland security, concerning federal immigration laws. Requires the chief of police to designate select police officers to be trained according to the memorandum. Requires certified police in accordance with the memorandum to enforce federal immigration law.
Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.
House Status: 02/15/18 - Set for House State Government Subcommittee 02/21/18.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7 and Title 8, Chapter 8, relative to immigration.

SB2601/HB2641 LABOR LAW: Report concerning the condition of the unemployment trust fund.

Sponsors: Sen. Bell, Mike , Rep. Casada, Glen
Summary: Changes the date in January whereby the commissioner of labor and workforce development must report to the general assembly concerning the condition of the unemployment trust fund from the first week of January to the second week in January of each year.
Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/18 - Referred to House Consumer & Human Resources Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 50, relative to employment security.

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