

Tenn. Code Ann. § 50-3-409

Current through the 2015 Regular Session

Tennessee Code Annotated > Title 50 Employer And Employee > Chapter 3 Occupational Safety and Health Act of 1972 > Part 4 Civil Remedies

50-3-409. Discrimination against employee.

- (a) No person shall discharge or in any manner discriminate against any employee because the employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this chapter, or has testified or is about to testify in any such proceeding, or because of the exercise by the employee on behalf of the employee or others of any rights afforded by this chapter.
- (b)
- (1) Any employee who believes that the employee has been discharged or otherwise discriminated against by any person in violation of this section may, within thirty (30) days after the violation occurs, file a complaint with the commissioner of labor and workforce development alleging the discrimination.
- (2) Upon receipt of the complaint, the commissioner shall cause an investigation to be made that the commissioner deems appropriate.
- (3)
- (A) If, upon investigation, the commissioner determines that this section has been violated, the commissioner shall bring an action in any appropriate chancery court against the person.
- (B) In any such action, the chancery courts shall have jurisdiction, for cause shown, to restrain violations of subsection (a) and order all appropriate relief, including rehiring or reinstatement of the employee to the employee's former position with back pay.
- (c) Within ninety (90) days of the receipt of a complaint filed under this section, the commissioner shall notify the complainant of the commissioner's determination under subsection (b).

History

Acts 1972, ch. 561, § 12; 1974, ch. 585, §§ 21, 35; T.C.A., § 50-542; Acts 1999, ch. 520, § 41.

TENNESSEE CODE ANNOTATED

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