

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 643

Judiciary II Committee Substitute Adopted 5/5/93

House Committee Substitute Favorable 7/9/93

Short Title: Retaliatory Discharge Changes.

(Public)

Sponsors:

Referred to:

March 31, 1993

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE RETALIATORY EMPLOYMENT DISCRIMINATION LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 95-241 reads as rewritten:

"§ 95-241. Discrimination prohibited.

(a) No person shall discriminate or take any retaliatory action against an employee because the employee in good faith does or threatens to do any of the following:

(1) File a claim or complaint, initiate any inquiry, investigation, inspection, proceeding or other action, or testify or provide information to any person with respect to any of the following:

- a. Chapter 97 of the General Statutes.
b. Article 2A or Article 16 of this Chapter.
c. Article 2A of Chapter 74 of the General Statutes.
d. G.S. 95-28.1.

(2) Cause any of the activities listed in subdivision (1) of this subsection to be initiated on an employee's behalf.

(3) Exercise any right on behalf of the employee or any other employee afforded by Article 2A or Article 16 of this Chapter or by Article 2A of Chapter 74 of the General Statutes.

1       (b)    It shall not be a violation of this Article for a person to discharge or take any  
2 other unfavorable action with respect to an employee who has engaged in protected  
3 activity as set forth under this Article if the person proves by the greater weight of the  
4 evidence that it would have taken the same unfavorable action in the absence of the  
5 protected activity of the employee."