

§19204-B. Restrictions on requiring tests or results of tests

1. Employee testing. An employee or applicant for employment may not be required to submit to an HIV test or reveal whether the employee or applicant for employment has obtained an HIV test as a condition of employment or to maintain employment, except when based on a bona fide occupational qualification. The Maine Human Rights Commission shall enforce this subsection.

[PL 1995, c. 404, §16 (AMD).]

2. Employee rights. The employment status of any employee may not be affected or changed:

A. If the employee declines to be tested; [PL 2007, c. 93, §4 (AMD).]

B. If the employee testifies or assists in any proceeding under this chapter; [PL 1987, c. 811, §9 (NEW).]

C. If the employee asserts any other rights exercised in good faith pursuant to this chapter; or [PL 1987, c. 811, §9 (NEW).]

D. Because of the result of any test taken pursuant to this chapter. [PL 1987, c. 811, §9 (NEW).]
[PL 2007, c. 93, §4 (AMD).]

SECTION HISTORY

PL 1987, c. 811, §9 (NEW). PL 1989, c. 161 (AMD). PL 1995, c. 404, §16 (AMD). PL 2007, c. 93, §4 (AMD).

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