

**§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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