

**78B-1-132 Employer not to discharge or threaten employee for responding to subpoena -- Criminal penalty -- Civil action by employee.**

- (1) An employer may not deprive an employee of employment or threaten or otherwise coerce the employee regarding employment because the employee attends a deposition or hearing in response to a subpoena.
- (2) Any employer who violates this section is guilty of criminal contempt and upon conviction may be fined not more than \$500 or imprisoned not more than six months or both.
- (3) If an employer violates this section, in addition to any other remedy, the employee may bring a civil action in district court for recovery of wages lost as a result of the violation and for an order requiring the reinstatement of the employee. Damages recoverable may not exceed lost wages for six weeks. If the employee prevails, the employee shall be allowed reasonable attorney fees.

Renumbered and Amended by Chapter 3, 2008 General Session