



# HOUSE BILL 258: Worker Safety Act of 2026.

2025-2026 General Assembly

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| <b>Committee:</b> Senate Rules and Operations of the Senate    | <b>Date:</b> June 4, 2026      |
| <b>Introduced by:</b> Reps. K. Hall, Miller, Crawford, Jeffers | <b>Prepared by:</b> Amy Darden |
| <b>Analysis of:</b> Fourth Edition                             | Staff Attorney                 |

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**OVERVIEW:** *House Bill 258 would do the following to Article 21 of Chapter 95 of the General Statutes, the Retaliatory Employment Discrimination Act (REDA):*

- *Provide specific requirements for a complaint alleging a violation.*
- *Require written authorization for a third party to submit a complaint.*
- *Require the destruction of any extraneous materials submitted with a complaint.*
- *Allow a respondent to submit a position statement containing affirmative defenses within 7 days of receipt of the complaint.*
- *Allow the Commissioner of Labor to open an investigation, prior to receiving a response from the respondent.*
- *Provide that computation of time under REDA will follow Rule 6 of the Rules of Civil Procedure.*

**CURRENT LAW:** Currently, G.S. 95-242, part of the Retaliatory Employment Discrimination Act (REDA), provides that an employee who alleges that an employer has discriminated or taken retaliatory action against them for engaging in protected activities may file a written complaint with the Commissioner of Labor (Commissioner). Protected activities include filing a claim or complaint, initiating any inquiry, investigation, inspection, proceeding or other action, or testifying or providing information to any person with respect to the Worker's Compensation Act, the Wage and Hour Act, the Occupational Safety and Health Act of North Carolina, the Mine Safety and Health Act, the prohibition on discrimination for possessing sickle cell trait or hemoglobin C trait, the prohibition on discrimination against persons based on genetic testing or genetic information, among other provisions. G.S. 95-241.

## **BILL ANALYSIS:**

Section 1 of the bill would create a specific list of all items that must be included in all complaints filed under REDA, including: the contact information of the complainant, respondent, human resources manager, and supervisor; the protected activity the complainant engaged in before the alleged retaliatory action; Form 18 if involving Workers' Compensation; a statement of facts outlining the protected activity engaged in by the complainant prior to the alleged retaliatory action; a description of the retaliatory action and any relevant facts that would explain a legitimate, nondiscriminatory reason for the adverse employment action; the date of the most recent retaliatory action; and, the signature of the complainant. If a complaint is submitted by a third-party, excluding an attorney, the bill would require that party to submit a written authorization signed by the complainant allowing the filing on their behalf. The bill

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would allow complaints to be filed through the Department of Labor's (Department) website, by mail, or by email. If a complainant files a partial complaint within 180 days, the Department will notify the complainant of deficiencies and allow 30 days to cure the deficiencies.

The bill would prohibit any extraneous materials from being considered in the investigation and require them to be destroyed. These extraneous materials would not be considered public record. A respondent would be allowed to submit a position statement within 7 days of receipt of the complaint. The Commissioner would be able to initiate an investigation before receiving any response from a respondent.

Section 2 of the bill would require computation of time under REDA to follow Rule 6 of the Rules of Civil Procedure.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.