

**§597. Conditions of employment**

An employer or an agent of an employer may not require, as a condition of employment, that any employee or prospective employee refrain from using tobacco products outside the course of that employment or otherwise discriminate against any person with respect to the person's compensation, terms, conditions or privileges of employment for using tobacco products outside the course of employment as long as the employee complies with any workplace policy concerning use of tobacco. This section does not prohibit an employer or an agent of an employer from offering a voluntary wellness program that offers incentives for the cessation of use of tobacco products in compliance with applicable federal regulations. [PL 2017, c. 219, §6 (AMD).]

**SECTION HISTORY**

PL 1991, c. 366 (NEW). PL 2017, c. 219, §6 (AMD).

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