

## National Conference of State Legislatures

### 2010 Legislation on Employment Related Discrimination Year End Search 2010

#### ALABAMA

AL H 178 Wood (R)  
Title: Public Officers and Employees  
Status: Failed - Adjourned  
Summary: Provides that no public employee may be discriminated against or disciplined for communications with an elected public official.

AL H 230 Rogers (D)  
Title: Colleges and Universities  
Status: Failed - Adjourned  
Summary: Requires public institutions of higher education to interview minority candidates when hiring to fill a vacancy in its athletic department for any sport sponsored by the institution unless the institution is bound by contract to promote a member of the current coaching staff.

AL H 524 Rogers (D)  
Title: State Agencies and Entities  
Status: Failed - Adjourned  
Summary: Relates to state agencies and entities; provides legislative intent; requires any multimember entity subject to a diversity requirement to annually report to the Legislature regarding compliance with the requirement; requires any entity required to expend funds or award contracts on a basis that reflects diversity to annually report to the Legislature regarding compliance with the requirement.

AL SJR 118 Figures (D)  
Title: Equal Pay Commission  
Status: Failed - Adjourned  
Summary: Establishes the Equal Pay Commission.

#### ALASKA

AK S 190 Wielechowski (D)  
Title: Biometric Information for Identification  
Status: Failed - Adjourned  
Summary: Relates to biometric information; provides that a person may not collect biometric information from a person, retain a DNA sample or other biometric information, retain the results of a DNA analysis, or disclose the results of a DNA analysis or other biometric information unless the person has first obtained the informed and written consent of the person for the collection, analysis, retention, or disclosure; includes background checks in prohibited activities; provides a private right of action.

AK S 197 Dyson (R)  
Title: Pharmacists Right to Refuse  
Status: Failed - Adjourned  
Summary: Allows pharmacists the right to refuse to refer, recommend, or dispense emergency contraceptives; provides immunity to a pharmacy for civil liability for a pharmacist's refusal to refer, recommend, or dispense emergency contraceptives; prohibits discrimination in employment against a pharmacist who refuses to refer, recommend, or dispense emergency contraceptives.

## ARIZONA

AZ H 2292      McGuire (D)  
Title:          Disabled Employees and Employer Harassment  
Status:        Failed - Adjourned  
Summary:      Relates to disabled employees; relates to employer harassment.

AZ H 2363      Sinema (D)  
Title:          Civil Rights and Discrimination  
Status:        Failed - Adjourned  
Summary:      Relates to civil rights; relates to discrimination; relates to employment.

AZ S 1232      Burton-Cahill (D)  
Title:          Agency Licenses  
Enacted:      05/10/2010  
Status:        Enacted:  
Summary:      Relates to agency licenses and employees who are hearing or vision impaired; provides that applicants shall substantiate investigative work experience and provide details as to the character and nature of the experience on a form prescribed by the department and certified by the employers; relates to auxiliary aids and interpreters for the hearing impaired; provides for assistive technology; provides no basis for a claim of no disability; relates to a physical or mental impairment.

AZ 2 2010      Proposition: 107 (HCR 2019 2009)  
Title:          Preferential Treatment and Discrimination  
Summary:      On ballot at 11/02/2010 election. Amends the State Constitution; prohibits the State from granting preferential treatment to or discrimination against any individual or group on the basis of race, sex, color, ethnicity or national origin in operation of public employment, public education or public contracting. Unofficially Approved By Voters: 11/02/2010.

AZ 11 2009     Executive Order 2009-11  
Title:          Christmas and Hanukkah Celebration Declaration  
Summary:      Declares Christmas and Hanukkah celebration; prohibits any state agency from prohibiting state employees from personally celebrating Christmas and Hanukkah, including the placement of items traditionally associated with a particular holiday. 12/16/2009.

## CALIFORNIA

CA A 482      Mendoza (D)  
Title:          Employment: Credit Reports  
Status:        Vetoed: 09/23/2010  
Summary:      Prohibits an employer, with the exception of certain financial institutions, from obtaining a consumer credit report for employment purposes unless the information is substantially job-related and the position of the person for whom the report is sought is a position in the state Department of Justice, a managerial position, that of a sworn peace officer or other law enforcement position or a position for which the information contained in the report is required to be obtained by the employer.

CA A 556      Conway (R)  
Title:          Personal Services Contracts  
Status:        Failed  
Summary:      Prohibits a state agency personal services contract from adversely affecting the state's equal employment opportunity efforts, and requires the contract to include assurances that the contractor's hiring practices meet applicable nondiscrimination, equal employment opportunity standards.

CA A 781      Jeffries (R)  
Title:          Bilingual Services  
Status:        Failed - Adjourned

Summary: Prohibits a state or local agency from imposing or implementing an action or decision pursuant to existing law as a pretext for discrimination on the basis of race, national origin, or other unlawful discrimination in employment, including any requirement that an employee be bilingual. Requires that all information and reports regarding the providing of bilingual services by public agencies shall be public information otherwise restricted by law.

CA A 793 Jones (D)  
Title: Employment: Discrimination  
Status: Vetoed: 10/11/2009  
Summary: Specifies when a cause of action for unlawful discrimination or unlawful employment practice with respect to compensation accrues for determining whether a complaint was filed within statutory deadlines.

CA A 1000 Ma (D)  
Title: Employment: Paid Sick Days  
Status: Failed  
Summary: Relates to employment and sick days. Provides an employee who works in the state for a specified period during a calendar is entitled to paid sick days which shall be accrued according to a specified formula. Requires employers to provide sick leave for health conditions of the employee or the employee's family member, or leave related to domestic violence or sexual assault. Prohibits related employer discrimination or retaliation. Exempts employees covered under collective bargaining agreements.

CA A 1001 Skinner (D)  
Title: Employment: Familial Status Protection  
Status: Failed  
Summary: Amends the State Fair Employment and Housing Act. Includes familial status as an additional basis upon which the right to seek, obtain, and hold employment cannot be denied. Defines for employment purposes familial status as having or providing care for a child, domestic partner, grandchild, grandparent, parent, parent-in-law, sibling, or spouse.

CA A 1112 Blakeslee (R)  
Title: Public Contracts: State University: Foreign Countries  
Status: Failed  
Summary: Authorizes the trustees to enter into a contract with the government of a foreign country to provide the services of the California State University staff or personnel in that foreign country. Requires that the contracts, to the extent provided by federal law, contain specified clauses to include harassment, discrimination and collective bargaining.

CA A 2727 Bradford (D)  
Title: Applicant Information: Criminal History  
Status: Failed - Adjourned  
Summary: prohibits an employer from denying an application for employment for the reason that the applicant has previously been convicted of a criminal offense unless the employer determines that there is a direct relationship between the prior conviction and the employment sought or the granting of employment would involve an unreasonable risk to property or persons.

CA A 2773 Swanson (D)  
Title: Civil Actions: Costs  
Status: Vetoed: 09/23/2010  
Summary: Amends existing law that provides that costs, or any portion of claimed costs, shall be determined by the court, in its discretion, in a case other than a limited civil case, if the prevailing party recovers a judgment that could have been rendered in a limited civil case. Exempts from that provision an action brought under a specified provision of the Fair Employment and Housing Act alleging an unlawful practice.

CA ACA 7 Hernandez (D)  
Title: Public Education  
Status: Failed - Adjourned

Summary: Proposes an amendment to the State Constitution to prohibit the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. Deletes the Public School System and the University of California from the scope of a constitutional prohibition.

CA ACR 55 Torlakson (D)  
Title: University of California: Workplace Bullying  
Status: Failed - Adjourned  
Summary: Urges the University of California to provide training to its supervisory employees regarding the prevention of workplace bullying, abuse and harassment by a specified date and again every 2 years thereafter.

CA HR 20 Eng (D)  
Title: Employment Discrimination  
Status: Adopted: 09/12/2009  
Summary: Expresses the Assembly's support for the federal Employment Non-Discrimination Act of 2009, prohibiting employment discrimination on the basis of sexual orientation and gender identity.

CA S 115 Lowenthal A (D)  
Title: Public Employment  
Status: Vetoed: 10/11/2009  
Summary: Requires that a public employee or employment applicant be permitted to decline to take and subscribe the oath of office based on moral, ethical, or religious beliefs that conflict with his or her ability to take and subscribe the oath without mental reservation, if he or she is otherwise willing and able to uphold the United States and State Constitution and laws and to complete the duties of employment. Provides procedures to be followed if the employee declines to take and subscribe the oath.

CA S 242 Yee (D)  
Title: Civil Rights: Language Restrictions  
Status: Vetoed: 10/11/2009  
Summary: Makes it a violation of the Unruh Civil Rights Act to adopt or enforce a policy that requires, limits or prohibits the use of any language in or with a business establishment, unless the language is justified by a business necessity, and notification has been provided of the circumstances and the time when the language restriction or requirement is to be observed and of the consequences for its violation. Provides for an award of damages, and attorney's fees.

CA S 650 Yee (D)  
Title: State Colleges And Universities  
Status: Enacted. 07/15/2010  
Summary: Amends the Whistleblower Act that authorizes a California State University employee or applicant for employment to have an available action for damages caused by intentional acts of reprisal, retaliation, threats, or coercion under a specified procedure. Authorizes an available action for damages for other legal remedies arising on or after a specified date for a University of California employee or applicant for employment under the same procedure.

CA S 1474 Steinberg (D)  
Title: Labor Representatives: Elections  
Status: Vetoed: 09/30/2010  
Summary: Authorizes the Agricultural Labor Relations Board, under specified circumstances, to set aside an election by the employees of an agricultural bargaining unit where there has been misconduct by the employer affecting the outcome of the election and to certify a labor organization as the exclusive bargaining representative for a bargaining unit if the organization had previously presented the board with authorization cards signed by more than 50% of the employees in that bargaining unit.

CA 35 2010 Executive Order: S-11-10  
Title: Americans with Disabilities Act Anniversary

Summary: Provides that within 30 days of the date of this Executive Order, each agency, department, board, commission and office under direct executive authority shall establish and/or review its written reasonable accommodation guidelines to ensure that supervisors and managers have the information and resources to provide reasonable accommodations to employees with a disability in a timely and effective manner, in consultation with shall consult with its Equal Employment Opportunity Officer. 07/26/2010

## **COLORADO**

CO H 1181 Todd (D)  
Title: Department of Personnel Administration  
Status: Enacted. 06/07/2010  
Summary: Relates to the Department of Personnel; relates to the processing of debts by the state controller, public notice of certain contracts, deductibles for loss or damage to state property, post-audit reviews of the management of the state personnel system by colleges and universities, the total compensation advisory council, complaints filed by state employees, state employee health plans, state document fees, procurement cards, and suspension of contracts due to the filing of criminal charges.

CO H 1269 Levy (D)  
Title: Workplace Fairness Civil Remedies Act  
Status: Failed  
Summary: Concerns the creation of remedies available in employment discrimination cases.

## **CONNECTICUT**

CT H 5060 Joint Labor and Public Employees  
Title: Use of Criminal Records  
Status: Failed  
Summary: Concerns the use of criminal records for the purpose of denying a promotion to an individual employed in the food service or retail industries; prevents employers in the food service and retail industries from denying an employee a promotion solely on the basis the employee has a previous criminal record.

CT H 5061 Joint Labor and Public Employees  
Title: Credit Reports As a Basis for Employment Decisions  
Status: Failed  
Summary: Eliminates credit reports as a basis for employment decisions; prevents discrimination of a prospective employee based upon that employee's credit history.

CT H 5234 Joint Labor and Public Employees  
Title: Labor Organization  
Status: Failed  
Summary: Prevents a labor organization from waiving an employee's right to bring a civil action for a civil rights violation against an employer; prevents labor organizations from bargaining away the rights of an employee to bring a civil action for an employer's violation of said employee's civil rights.

CT H 5284 Joint Labor and Public Employees  
Title: Domestic Violence Victims and Discriminatory Practices  
Status: Failed  
Summary: Concerns domestic violence victims and discriminatory practices; designates individuals who are actual or perceived victims of domestic violence a protected class for employment purposes.

CT H 5285 Joint Labor and Public Employees  
Title: State Employees  
Status: Failed  
Summary: Concerns state employees and violence and bullying in the workplace; requires that the Department of Administrative Services report the number of complaints of bullying or abusive conduct to the General Assembly.

## **DISTRICT OF COLUMBIA**

DC B 62 Cheh (D)  
Title: Intern Anti Discrimination Amendment Act  
Status: Pending - adjourned  
Summary: Amends the Human Rights Act of 1977 to expand the definition of employees to include unpaid interns.

DC B 136 Barry (D)  
Title: Human Rights for Ex Offenders  
Status: Pending - adjourned  
Summary: Amends the Human Rights Act of 1977 to prohibit employment, housing, and educational discrimination based upon arrest record, or conviction record, with certain exceptions based on the relationship of the arrest or conviction to the position sought, lack of knowledge of the conviction, reliance upon an authorized certification, a record of violent crimes, or positions specifically exempt.

DC B 233 Cheh (D)  
Title: Whistleblower Protection  
Status: Enacted: 03/05/2010  
Summary: Includes conducting an investigation as a prohibited personnel action, expands the definition of protected disclosures, extends the limitations period for whistleblower retaliation claims, increases the amount of supervisor penalties and allows an employee to bring a civil action; clarifies the definition of a prohibited procurement practice, prohibits District retaliation against contractors who make protected disclosures, and extends the limitations period for whistleblower retaliation claims.

DC B 796 Alexander (D)  
Title: Protecting Victims of Crime  
Status: Pending - adjourned  
Summary: Amends the District of Columbia Human Rights Act of 1977 to protect victims and family members of victims of domestic violence, sexual abuse, and stalking against discrimination by employers.

## **DELAWARE**

DE H 5 Schwartzkopf (D)  
Title: Discrimination  
Status: Failed  
Summary: Relates to discrimination in employment, public works contracting, housing, equal accommodations and the insurance business.

DE S 121 Sokola (D)  
Title: Discrimination  
Status: Enacted: 07/02/2009  
Summary: Adds the term sexual orientation to the already-existing list of prohibited practices of discrimination; forbids discrimination against a person on the basis of sexual orientation in housing, employment, public works contracting, public accommodations, and insurance; establishes that the Superior Court, in the first instance, would hear and adjudicate alleged criminal violations under the act of equal accommodations, fair housing and employment discrimination.

DE S 306 DeLuca (D)  
Title: Emergency Road Management  
Status: Enacted: 07/30/2010  
Summary: Relates to future storms or other emergencies; provides for a Level 1 Driving Warning with no penalties, Level 2 Driving Restriction with motor vehicle violations and Level 3 Driving Ban for the most severe conditions; provides that an employer may not terminate or discipline an employee for failing to report to work

during a Level 3 Driving Ban; provides that during a Level 2 Driving Restriction, an employer shall be liable for emergency response to remove a non-designated employee or motor vehicle.

DE 14 2009 Executive Order 12  
Title: State Government  
Summary: Drafts a state wide policy to address issues of domestic violence affecting employees of State agencies; prohibits discrimination against employees who are victims of domestic violence. 10/05/2009

## **FLORIDA**

FL H 391 Skidmore (D)  
Title: Prohibited Discrimination  
Status: Failed  
Summary: Relates to prohibited discrimination; designates act Competitive Workforce Act; prohibits discrimination based on sexual orientation and gender identity or expression; defines terms; substitutes references to disability for references to handicap; revises and conforms terminology.

FL H 1623 Cruz (D)  
Title: Employment Discrimination  
Status: Failed  
Summary: Relates to employment discrimination; creates Helen Gordon Davis Equal Pay Protection Act; requires Agency for Workforce Innovation to conduct studies and provide information to employers, labor organizations and public concerning means available to eliminate pay disparities between men and women; designates Commission on Human Relations as primary enforcement agency for claims under federal Equal Pay Act.

FL S 2268 Ring (D)  
Title: State Employment  
Status: Failed  
Summary: Relates to state employment; provides directives to the Division of Statutory Revision; revises provisions relating to the employment policy of the state; revises the rulemaking authority of the DMS; provides for agency audits to determine compliance with Laws and rules; revises provisions relating to educational opportunities for employees; revises provisions relating to training employees; revises provisions relating to equal employment opportunities.

FL S 2648 Hill (D)  
Title: Athletic Coaches and Directors  
Status: Failed  
Summary: Relates to athletic coaches and directors and diversity in hiring; defines the term minority applicant; requires each state university or college to interview one or more qualified minority applicants when hiring a head athletic coach or an athletic director; provides an exception; provides for a defense; authorizes the State Board of Education and the Board of Governors to adopt rules.

## **GEORGIA**

GA H 1277 Collins T (D)  
Title: Labor and Industrial Relations  
Status: Failed - Adjourned  
Summary: Relates to general provisions relative to labor and industrial relations; provides that it shall be unlawful for an employer to fail or refuse to hire, bar, discharge from employment, or otherwise discriminate against an individual because of the individual's credit history or credit report; provides for exceptions; provides a penalty; repeals conflicting laws.

## HAWAII

HI H 31 Oshiro M (D)  
Title: Employment Credit History Prohibited  
Status: Enacted: 07/15/2009  
Summary: Provides that the prohibition against an employer's refusal to hire or employ, barring or terminating from employment, or otherwise discriminating on the basis of credit history shall not apply to employers who are expressly permitted or required to do so under federal or state law, employers that are financial institutions in which deposits are insured by a federal agency having jurisdiction over the financial institution or to managerial or supervisory employees.

HI H 952 Pine (R)  
Title: Labor Unions and Private Sector  
Status: Enacted: 07/15/2009  
Summary: Relates to Labor Unions; certifies entities as exclusive representatives absent an election where no other representatives are certified as the exclusive bargaining representatives; requires immediate collective bargaining between parties once entities are certified as exclusive representatives; makes it a violation for an employer to commit an unfair or prohibited practice interfering with an employee's statutory rights or discriminating against an employee for exercising protected conduct.

HI H 1480 Hanohano (D)  
Title: Discriminatory Practices  
Status: Failed - Adjourned  
Summary: Amends the definition of disability; amends and adds certain definitions to broaden detection against employment disability discrimination in the state.

HI H 1939 Lee M (D)  
Title: Employment Relations  
Status: Failed - Adjourned  
Summary: Prohibits employers from discriminating against an employee or applicant for employment based upon the employee's or the applicant's status as a victim of domestic violence.

HI HCR 156 Keith-Agaran (D)  
Title: Judicial Appointment Gender Equality  
Status: Failed - Adjourned  
Summary: Urges the governor to use and consider gender equality when appointing judges and justices to Hawaii courts.

HI HR 94 Keith-Agaran (D)  
Title: Judicial Appointment Gender Equality  
Status: Failed - Adjourned  
Summary: Urges the governor to use and consider gender equality when appointing judges and justices to Hawaii courts.

HI S 1183 Takamine (D)  
Title: Employment and Discriminatory Practices  
Status: Enacted: 07/15/2009  
Summary: Requires the State Civil Rights Commission to adopt administrative rules to define certain terms to conform state law protections against disability discrimination in employment to recently amended federal law.

HI S 2241 Takamine (D)  
Title: Employment Practices  
Status: Failed - Adjourned  
Summary: Prohibits an employer or labor organization from discharging or barring from employment, withholding pay from, or demoting an employee who uses accrued and available sick leave.

HI S 2341 Baker (D)  
Title: Employment Relations  
Status: Failed - Adjourned  
Summary: Prohibits employers from discriminating against an employee or applicant for employment based upon the employee's or the applicant's status as a victim of domestic violence.

HI S 2708 Hanabusa (D)  
Title: Hawaii Labor Relations Board  
Status: Failed - Adjourned  
Summary: Allows the Hawaii Labor Relations Board to award costs and attorney fees to employers, and provides that an employer, employee, or labor organization that commits unfair or prohibited practices that interfere with the statutory rights of an employer or employees or discriminates against an employer or employees for the exercise of protected conduct shall be subject to civil penalties.

HI S 2883 Takamine (D)  
Title: Employment Practices  
Status: Vetoed: 07/06/2010  
Summary: Makes it an unlawful practice for any employer or labor organization to bar or discharge from employment, withhold pay from, or demote an employee because the employee uses accrued and available sick leave, except for abuse of sick leave.

HI SR 100 Espero (D)  
Title: Abusive Work Environments  
Status: Adopted: 04/09/2010  
Summary: Urges the department of labor and industrial relations to adopt rules to prohibit abusive work environments.

## IDAHO

ID H 603 State Affairs Committee  
Title: Human Rights Commission  
Status: Enacted: 04/08/2010  
Summary: Amends existing law to provide for transfer of the Human Rights Commission to the Department of Labor.

## ILLINOIS

IL H 59 Currie (D)  
Title: Discrimination Complaint Procedures  
Status: Enacted: 02/02/2010  
Summary: Amends the Human Rights Act. Relates to the procedure for filing a complaint with the Director of Human Rights relating to discrimination in employment, credit, public accommodations, higher education, or certain other circumstances. Requires that a notice of dismissal notify a complainant of the right to seek review or commence a civil action. Increases the period of time within which an aggrieved party may file a request for review.

IL H 326 Pihos (R)  
Title: School Student Records  
Status: Pending - Adjourned  
Summary: Amends the School Student Records Act. Relates to the confidentiality of information communicated in confidence to a school social worker, school counselor, school psychologist, or school psychologist intern working under the supervision of those employees. Provides that no employee shall be subjected to adverse employment action, the threat of adverse action, or any manner of discrimination because the employee is acting or has acted to protect communications as privileged or confidential.

IL H 374 Turner (D)  
Title: Abusive Work Environment Act

Status: Pending - Adjourned  
Summary: Creates the Abusive Work Environment Act. Finds that the well-being of the State relies upon healthy employees free of abusive work environments. Defines "abusive conduct" as conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests; and "abusive work environment" as a workplace where an employee is subjected to abusive conduct so severe that it causes physical or psychological harm.

IL H 1240 Franks (D)  
Title: Right to Privacy in the Workplace Act  
Status: Pending - Adjourned  
Summary: Amends the Right to Privacy in the Workplace Act. Makes a technical change in a Section concerning prohibited inquiries.

IL H 2475 Howard (D)  
Title: Illinois Human Rights Act  
Status: Pending - Adjourned  
Summary: Amends the Illinois Human Rights Act. Provides that it is a civil rights violation for any employer, employment agency, or labor organization to refuse to hire a qualified ex-offender solely because the qualified ex-offender has previously been convicted of one or more criminal offenses, or by reason of a finding of lack of good moral character when the finding is based solely upon the fact that the qualified ex-offender has previously been convicted. Exempts specified state agencies from these provisions.

IL H 4139 Schmitz (R)  
Title: Illinois Human Rights Act  
Status: Pending - Adjourned  
Summary: Amends the Illinois Human Rights Act. Provides that the Department of Human Rights must charge the complainant a fee of \$100 for filing a charge, that the fee must be paid in advance, and that it may not be waived. Provides that if a complainant who has filed a charge with the Equal Employment Opportunity Commission notifies the Department of his or her decision to proceed with the Department, the Department shall charge the complainant the filing fee.

IL H 4205 Myers (R)  
Title: Service Member's Employment Tenure Act  
Status: Pending - Adjourned  
Summary: Amends the Service Member's Employment Tenure Act and the State Human Rights Act. Provides that an employer's knowing violation of the Service Member's Employment Tenure Act is a civil rights violation under the State Human Rights Act.

IL H 4620 Ford (D)  
Title: Discrimination Based on Criminal Convictions  
Status: Pending - Adjourned  
Summary: Provides that it is the policy of this State to prevent discrimination based on prior criminal conviction in employment. Establishes that it is a civil rights violation for an employer, employment agency, or labor organization to inquire into or to use the fact of a prior criminal conviction, or an arrest or criminal history record information as a basis to refuse to hire, to segregate, or to act with respect to hiring and promotion.

IL H 4658 Franks (D)  
Title: Employee Credit Privacy Act  
Status: Enacted: 08/10/2010  
Summary: Creates the Employee Credit Privacy Act. Prohibits employers, exempting public employers, insurers, financial institutions or debt collectors, from using a person's credit history as a basis for employment, discharge, or compensation. Relates to occupations including positions involving access to cash, trade secrets, or the financial information of an organization. Prohibits an employer from retaliating or discriminating against a person who participates in an action concerning a violation.

IL H 4773 Soto (D)

Title: Competitive Bid Disclosure  
Status: Pending - Adjourned  
Summary: Amends the School Code for competitive bids for service contracts involving an expenditure in excess of a certain amount, the bidder must disclose, before the public bid opening, in an affidavit that becomes part of the bid, any charges filed against the bidder within the past 10 years pursuant to the National Labor Relations Act, the Civil Rights Act of 1964, or the Illinois Human Rights Act, and other charges.

IL H 4855 Franks (D)  
Title: Credit History  
Status: Pending - Adjourned  
Summary: Amends the Illinois Human Rights Act. Provides that it is the public policy of this State to prevent discrimination in employment based on credit history and that it is a civil rights violation for any employer, employment agency, or labor organization to inquire into or to use a prospective employee's or employee's credit history as a basis to refuse to hire.

IL H 4991 Ford (D)  
Title: Personnel Code  
Status: Pending - Adjourned  
Summary: Amends the Personnel Code; provides that the Department of Central Management Services must, within 10 calendar days after the end of each month, post on its website a list showing the total number of those taking competitive examinations for employment during that month and receiving a superior, A, or otherwise designated highest test result, together with a breakdown of that total number categorizing the number of applicants receiving that highest grade by race.

IL H 5155 McGuire (D)  
Title: Employer Religious Or Mandatory Workplace Meeting  
Status: Pending - Adjourned  
Summary: Creates the Employer Religious or Mandatory Workplace Meeting Act. Prohibits an employer from requiring an employee to attend an employer-sponsored meeting or participate in communication for the purpose of communicating the employer's opinion about religious or political matters. Prohibits an employer from taking or threatening any adverse employment action against an employee as a means of requiring an employee to attend such a meeting or participate.

IL H 6924 Mitchell B (R)  
Title: Right to Privacy in the Workplace Act  
Status: Pending - Adjourned  
Summary: Amends the Right to Privacy in the Workplace Act; requires every employer, after hiring an employee, to verify the employment eligibility of the employee through the E-Verify program; provides that, in addition to any other requirement for an employer to receive a grant, loan, or performance-based incentive from any government entity, the employer shall register with and participate in the E-Verify program.

IL HJR 40 Turner (D)  
Title: Workplace Bullying  
Status: Adopted: 05/28/2009  
Summary: Creates the Task Force on Workplace Bullying. Provides that the Task Force shall study workplace bullying in the private sector and the impacts of that conduct and shall submit a report to the General Assembly on or before a specified date.

IL S 40 Garrett (D)  
Title: Department of Central Management Services  
Status: Enacted: 07/27/2009  
Summary: Amends the Department of Central Management Services Law of the Civil Administrative Code. Requires the Department of Central Management Services to develop and implement programs to increase the number of individuals with a disability employed by state government and to submit an annual report. Requires information concerning federal tax credits and deductions for hiring qualified employees with disabilities and whether the employer is a small or large business. Includes affiliates.

IL S 1508 Koehler (D)  
 Title: Illinois School Student Records Act  
 Status: Enacted: 08/24/2009  
 Summary: Amends the Illinois School Student Records Act. Provides that nothing contained in the Act shall be construed to impair or limit the confidentiality of information communicated in confidence to a school social worker, school counselor, school psychologist, or school psychologist intern. Provides that no employee shall be subject to adverse actions or any manner of discrimination because the employee is acting or has acted to protect communications as privileged or confidential.

IL S 1657 Lightford (D)  
 Title: Employment Discrimination  
 Status: Pending - Adjourned  
 Summary: Provides that it is a civil rights violation for any employer, employment agency, or labor organization to inquire into or use the fact of an arrest, the fact of a criminal charge, or criminal history record information ordered expunged, sealed or impounded under the Criminal Identification Act as a basis to refuse to hire. Provides that the prohibition shall not be construed to prohibit using other information which indicates that a person engaged in the conduct for which he or she was arrested.

IL S 1770 Steans (D)  
 Title: Victims' Economic Security and Safety Act  
 Status: Enacted: 08/24/2009  
 Summary: Amends the Victims' Economic Security and Safety Act. Makes changes to certain definitions. Relates to domestic abuse and stalking. Relates to employee leave benefits, confidentiality and penalties, the use of existing leave, prohibited acts, the documentation of domestic or sexual violence at the workplace or in work-related settings, and a requirement that employers post certain notices. Relates to total entitled leave time.

IL S 1928 Silverstein (D)  
 Title: Department of Human Rights Special Fund  
 Status: Enacted: 08/28/2009  
 Summary: Amends the State Finance Act. Creates the Department of Human Rights Special Fund. Provides that moneys in the Fund are not subject to transfer to the General Revenue Fund. Amends the Human Rights Act to provide for the registration fee for filing an Employer Report Form to establish eligibility to be awarded a contract by a State agency. Provides for deposit of the fee into the Fund. Provides that moneys in the Fund shall be used to fund the Department's public contract compliance monitoring program.

IL S 3249 Sandoval (D)  
 Title: Disadvantaged Businesses and Equal Employment  
 Status: Enacted: 07/16/2010  
 Summary: Prohibits the granting of State funds for capital construction or professional services unless a grantee certifies that he or she will comply with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and certain equal employment practices; requires that grantees submit certification and a business enterprise program plan; requires an Internet database of waivers to be maintained by chief procurement officers; requires an agency to give public notice of certain bid information.

IL S 3447 Brady B (R)  
 Title: Human Rights Act  
 Status: Pending - Adjourned  
 Summary: Amends the Human Rights Act; in the Employment Article, provides that the Act does not apply to a religious organization, association, or society or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society with respect to employment qualifications based on religion or sexual orientation.

IL S 3522 Steans (D)  
 Title: Chicago School District Article of the School Code  
 Status: Pending - Adjourned

Summary: Amends the Chicago School District Article of the School Code; prohibits residency within the school district from being considered in determining the employment of a teacher; prohibits residency within the district from being considered in determining a teacher's compensation or whether to retain, promote, assign, or transfer that teacher.

IL S 3566 Delgado (D)  
Title: Abusive Work Environment Act  
Status: Pending - Adjourned  
Summary: Creates the Abusive Work Environment Act; provides for findings and purposes of the Act, definitions, unlawful employment practices, including abusive work environment and retaliation, employer liability and affirmative defense, employee liability and affirmative defense, relief, procedures and limitations, and effects of the Act on other legal relationships; provides that the exercise of rights of free speech and exercise of religion shall not be considered abusive conduct.

## INDIANA

IN H 1236 Noe (R)  
Title: Higher Education Accountability and Reporting  
Status: Failed - Adjourned  
Summary: Relates to higher education accountability and reporting; requires a state educational institution to prepare annual reports concerning measures of institutional accountability and intellectual diversity; requires the reports to be submitted to the commission for higher education and the general assembly and to be published on the Internet web sites of state educational institutions.

IN S 190 Boots (R)  
Title: Discriminatory Practice Definition  
Status: Failed - Adjourned  
Summary: Relates to discriminatory practice definition; provides that an adverse action against another person because that person attempted to oppose a practice that is unlawful under civil rights enforcement laws is a discriminatory practice; concerns labor and safety.

IN S 233 Dillon (R)  
Title: Smoking Ban in Public Places  
Status: Failed - Adjourned  
Summary: Relates to smoking ban in public places; prohibits smoking in public places and places of employment; provides exceptions to the smoking prohibitions; allows a person who owns or controls an establishment, facility, or outdoor area that does not qualify as a public place or place of employment to declare the area a nonsmoking place; requires the posting of no smoking signs in and the removal of ashtrays from a public place or place of employment; prohibits firing or refusing to hire a person for reporting.

## IOWA

IA D 1317 Office of Senator Daryl Beall  
Title: Minority Recruitment  
Status: Failed - Adjourned  
Summary: Relates to minority recruitment by business receiving economic development aid.

IA H 243 State Government Committee  
Title: Gender Balance  
Status: Enacted: 05/26/2009  
Summary: Provides for gender balance on local boards, commissions, committees, and councils; includes an applicability provision; provides that all appointive boards, commissions, committees, and councils of a political subdivision of the state that are established, if not otherwise provided by law, shall be gender balanced.

IA H 793 Labor Committee  
Title: Employee Political Activities

Status: Failed - Adjourned  
Summary: Prohibits employers from infringing on employees political activities after work hours and if not using company resources.

IA HJR 2002 Paulsen (R)  
Title: Labor Union Membership  
Status: Failed - Adjourned  
Summary: Proposes an amendment to the State Constitution relating to labor union membership; provides that a person shall not be deprived of the right to work for any public or private employer because of membership in, or refusal to join, a labor union; prohibits requiring the payment of union dues or the deduction of union dues from a person's pay as a prerequisite for employment.

IA HSB 9 Veterans Affairs Committee  
Title: Veterans Affairs  
Status: Failed - Adjourned  
Summary: Concerns preferential hiring treatment by government for veterans.

IA HSB 73 State Government Committee  
Title: Unfair Unemployment  
Status: Failed - Adjourned  
Summary: Provides that discrimination against any employee on the basis of pay because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability of such employee is an unfair employment practice under the State Civil Rights Act.

IA S 137 State Government Committee  
Title: Wage Discrimination  
Status: Enacted: 04/28/2009  
Summary: Provides that wage discrimination is an unfair employment practice under the state civil rights act; provides an enhanced remedy.

IA SSB 1089 State Government Committee  
Title: Wage Discrimination  
Status: Failed - Adjourned  
Summary: Provides that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.

## **KANSAS**

KS H 2044 Joint Administrative Rules & Regulation  
Title: Converted Insurance Policies  
Status: Failed - Adjourned  
Summary: Concerns insurance; relates to converted policies; pertains to premium payments by terminated employees.

KS H 2218 Swenson (D)  
Title: Healthy Workplace Act  
Status: Failed - Adjourned  
Summary: Enacts the healthy workplace act; relates to abusive work environments; prohibits certain acts and providing certain remedies for violations.

KS S 353 Schmidt D (R)  
Title: Human Trafficking  
Status: Enacted: 04/19/2010  
Summary: Concerns trafficking; relates to coercing employment through force or fraud; concerns peonage, aggravated human trafficking of minors and involuntary servitude; provides for forfeiture; includes knowingly

destroying, concealing, removing, confiscating or possessing any actual or purported government identification document of another person; provides for privacy of addresses.

KS S 585           Ways and Means Committee  
Title:           Salary Reduction  
Status:          Failed - Adjourned  
Summary:        Concerns fiscal year 2011; reduces state officer and legislative leadership staff salaries.

KS 20 2010       Executive Order: 10-10  
Title:           Disabilities State Employment  
Summary:        Directs all state agency heads to increase coordination and collaboration across state agencies to provide Kansans with disabilities optimum opportunity to be competitively employed in equal numbers to their peers without disabilities and to help Kansans with disabilities meet the human resources needs of Kansas business.  
08/26/2010

## **KENTUCKY**

KY BR 467       Marzian (D)  
Title:           Civil Rights  
Status:          Failed - Adjourned  
Summary:        (HB 117) Relates to civil rights; includes definitions for "sexual orientation" and "gender identity"; amends code relating to the purpose of the Kentucky's civil rights chapter, to include a prohibition on discrimination because of sexual orientation and gender identity; relates to prohibited discrimination in various labor and employment practices, to include sexual orientation and gender identity.

KY H 117        Marzian (D)  
Title:           Civil Rights  
Status:          Failed - Adjourned  
Summary:        Relates to civil rights; includes definitions for "sexual orientation" and "gender identity"; amends code relating to the purpose of the Kentucky's civil rights chapter, to include a prohibition on discrimination because of sexual orientation and gender identity; relates to prohibited discrimination in various labor and employment practices, to include sexual orientation and gender identity.

KY H 185        Wayne (D)  
Title:           Public Employees  
Status:          Failed - Adjourned  
Summary:        Requires public employers to post a notice of public employee rights under the whistleblower statutes; includes supervisors within employing agencies to the list of entities employees can report to; includes other types of violations that may be reported and restrict reprisal or discrimination against employees who refuse to participate in employer practices which may violate a law or regulation.

KY S 138        Stein (D)  
Title:           Civil Rights  
Status:          Failed - Adjourned  
Summary:        Relates to civil rights; includes definitions for sexual orientation and gender identity; includes a prohibition on discrimination because of sexual orientation and gender identity; prohibits discrimination in various labor and employment practices, to include sexual orientation and gender identity; prohibits discrimination in places of public accommodation.

## **LOUISIANA**

LA H 1442       Carmody (R)  
Title:           Irregularities in Standardized School Tests  
Status:          Enacted: 06/24/2010  
Summary:        Provides relative to reporting by public school employees of irregularities or improprieties in the administration of standardized tests; provides for the recovery of damages, attorney fees and court costs; prohibits

retaliation or discrimination against an employee for good faith reporting; relates to false reports and actions for damages; permits an employee to bring a civil action against an employer who obstructs such procedures; provides for the recovery of damages, attorney fees, and court costs.

LA S 44 Murray (D)  
Title: Employment  
Status: Failed - Adjourned  
Summary: Provides elements of conspiracy to violate the Louisiana Employment Discrimination Law.

LA S 249 Dorsey (D)  
Title: Employment  
Status: Failed - Adjourned  
Summary: Enacts the Louisiana Equal Pay for Women Act.

LA SCR 89 Murray (D)  
Title: Attorneys  
Status: Adopted: 05/25/2010  
Summary: Requests Louisiana law firms, law departments, and courts to execute the Louisiana State Bar Association Statement of Diversity Principles.

## MAINE

ME H 664 Dill (D)  
Title: Family Caregivers  
Status: Failed - Adjourned  
Summary: Amends the Human Rights Act to expand the protections against discrimination in employment to include family caregivers; clarifies that family caregiver means a person who cares for that person's child, parent, spouse, domestic partner or sibling.

ME LR 281 Bryant M (D)  
Title: Credit Histories in Employment Decisions  
Status: Failed - Adjourned  
Summary: Prohibits the use of credit histories in employment decisions.

ME LR 884 Innes (D)  
Title: Lactating Mothers and Workplace Discrimination  
Status: Failed - Adjourned  
Summary: Protects lactating mothers from workplace discrimination.

ME S 33 Simpson (D)  
Title: Wage Inquiries  
Status: Enacted: 04/16/2009  
Summary: Provides that an employer may not prohibit an employee from disclosing the employee's own wages or from inquiring about another employee's wages if the purpose of the disclosure or inquiry is to enforce the rights granted by this section; provides that nothing in this section creates an obligation to disclose wages.

ME S 221 Alfond (D)  
Title: Employers Mutual Insurance Company  
Status: Enacted: 04/16/2009  
Summary: Concerns the ability of the Employers' Mutual Insurance Company to offer workers' compensation insurance to policyholders; provides for employment practices liability insurance incidental to and in connection with workers' compensation coverage for employers if the employment practices liability insurance is provided as an endorsement to workers' compensation coverage approved by the superintendent and includes reinsurance protection; provides for rates; provides for subsidiary insurers in other states.

## MARYLAND

MD H 114 Nathan-Pulliam (D)  
Title: Health Occupations  
Status: Enacted: 05/20/2010

Summary: Requires health occupations boards notify licensees or certificate holders of vacancies and to collect certain racial and ethnic information to ensure, to the extent practicable, that members of the boards reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State; relates to the duties of health occupations boards relative to the regulation of licensees including complaint resolution, peer review and disciplinary and investigative responsibilities.

MD H 175 Reznik (D)  
Title: Labor and Employment  
Status: Failed - Adjourned

Summary: Prohibits an employer from using an applicant's or employee's credit report or credit history in determining whether to deny employment to the applicant, discharge the employee, or determine compensation or the terms, conditions, or privileges of employment; authorizes an employer to request or consider an applicant's credit report or credit history under specified circumstances.

MD H 462 Kaiser (D)  
Title: Education Discrimination  
Status: Failed - Adjourned

Summary: Alters a provision of law relating to discrimination in the employment of teachers in the public schools in the State to conform to other provisions of State law governing discrimination in employment.

MD H 463 Kaiser (D)  
Title: Human Relations  
Status: Failed - Adjourned

Summary: Alters the equal employment opportunity policy of the State to assure equal opportunity regardless of family responsibilities; prohibits employers, employment agencies, and labor organizations from discriminating against an individual based on family responsibilities.

MD H 504 Rosenberg (D)  
Title: Employment Discrimination  
Status: Failed - Adjourned

Summary: Clarifies that an unlawful employment practice is established when a specified classification is a motivating factor for any employment practice, even though other factors also motivated the practice; provides that a specified Supreme Court ruling is not to be applied in any cases brought under provisions of law prohibiting discrimination in employment.

MD H 1022 Carr (D)  
Title: Human Relations  
Status: Failed - Adjourned

Summary: Prohibits discrimination based on gender identity with regard to public accommodations, housing, and employment and by specified licensed or regulated persons; prohibits discrimination based on sexual orientation or gender identity with regard to commercial leasing; alters an exception for employers relating to standards concerning dress and grooming.

MD H 1323 Jennings (R)  
Title: Civil Air Patrol  
Status: Enacted: 05/20/2010

Summary: Establishes a leave policy for members of the Civil Air Patrol; provides that an employer may not take certain actions against those employees; permits an employer to require certification; allows an employer to provide paid leave; requires an employer to restore an employee to a position after use of the leave; allows negotiation between an employer and employee regarding the payment of benefits during the leave period; authorizes the employee to take legal action to enforce this act.

MD S 312        Lenett (D)  
Title:            Labor and Employment  
Status:          Failed - Adjourned  
Summary:        Prohibits an employer from using an applicant's or employee's credit report or credit history in determining whether to deny employment to the applicant, discharge the employee, or determine compensation or the terms, conditions, or privileges of employment; authorizes an employer to request or consider an applicant's credit report or credit history under specified circumstances.

MD S 583        Madaleno (D)  
Title:            Human Relations  
Status:          Failed - Adjourned  
Summary:        Prohibits discrimination based on gender identity with regard to public accommodations, housing, and employment and by specified licensed or regulated persons; prohibits discrimination based on sexual orientation or gender identity with regard to commercial leasing; alters an exception for employers relating to standards concerning dress and grooming.

MD S 1114       Jones V (D)  
Title:            State Personnel  
Status:          Failed - Adjourned  
Summary:        Requires the Secretary of Budget and Management to establish an independent equal employment opportunity unit in the Department of Budget and Management to oversee the administration of the Equal Employment Opportunity Program in a specified manner; requires the unit to report directly to the Equal Employment Opportunity Coordinator.

## MASSACHUSETTS

MA H 1551       Naughton (D)  
Title:            Discrimination of Veterans  
Status:          Pending - Adjourned  
Summary:        Relates to discrimination of veterans.

MA H 1794       Brownsberger (D)  
Title:            Restrictive Employment Covenants  
Status:          Pending - Adjourned  
Summary:        Prohibits restrictive employment covenants.

MA H 1795       Coakley-Rivera (D)  
Title:            Employment Discrimination  
Status:          Pending - Adjourned  
Summary:        Defines employment discrimination.

MA H 1811       Jones (R)  
Title:            Fairness in Workers Compensation Benefits  
Status:          Pending - Adjourned  
Summary:        Relates to fairness in workers compensation benefits.

MA H 1845       Rodrigues (D)  
Title:            Non Discrimination Training in the Workplace  
Status:          Pending - Adjourned  
Summary:        Relates to non discrimination training in the workplace.

MA H 1850       Rushing (D)  
Title:            Discrimination on the Basis of Weight and Height  
Status:          Pending - Adjourned  
Summary:        Makes discrimination on the basis of weight and height unlawful.

MA H 1851 Sanchez (D)  
 Title: Workplace Language Restrictions  
 Status: Pending - Adjourned  
 Summary: Opposes unnecessary language restrictions in the workplace.

MA H 1861 Story (D)  
 Title: Bullying in the Workplace  
 Status: Pending - Adjourned  
 Summary: Relates to bullying in the workplace.

MA H 3578 Callahan (D)  
 Title: Workplace Harassment  
 Status: Pending - Adjourned  
 Summary: Relates to workplace harassment.

MA H 3934 Keenan J (D)  
 Title: Disability Retirement  
 Status: Pending - Adjourned  
 Summary: Relates to disability retirement; provides that no physical, mental or emotional disability arising from a bona fide personnel action including transfer, promotion, demotion, termination or disciplinary action not involving the preceding, except such an action which is the intentional infliction of emotional harm, shall be deemed to be a personal injury sustained or a hazard undergone as a result of, and while in the performance of, a person's duties.

MA H 4008 Smola (R)  
 Title: Public Official Harassment  
 Status: Pending - Adjourned  
 Summary: Prohibits harassment of public officials; includes a state or local government official who is elected to office.

MA H 4107 Office of the Governor  
 Title: Recidivism Reduction and Employee Opportunity  
 Status: Pending - Adjourned  
 Summary: Enhances public safety and reduces recidivism by increasing employment opportunities for inmates; provides for a more secure system governing criminal offender record information to ensure that employers have relevant, accurate, and timely information that will allow them to protect customers, clients, and ensures that individuals are not unfairly denied access to employment or housing opportunities.

MA H 4622 Coakley-Rivera (D)  
 Title: Employment Discrimination Definition  
 Status: Pending - Adjourned  
 Summary: Relates to further defining employment discrimination.

MA HD 385 Brownsberger (D)  
 Title: Restrictive Employment Covenants  
 Status: Pending - Adjourned  
 Summary: Prohibits restrictive employment covenants.

MA HD 1131 Sanchez (D)  
 Title: Workplace Language Restrictions  
 Status: Pending - Adjourned  
 Summary: Opposes unnecessary language restrictions in the workplace.

MA HD 1473 Callahan (D)  
 Title: Workplace Harassment

Status: Pending - Adjourned  
Summary: Relates to workplace harassment.

MA HD 1526 Rushing (D)  
Title: Discrimination on the Basis of Weight and Height  
Status: Pending - Adjourned  
Summary: Makes discrimination on the basis of weight and height unlawful.

MA HD 1598 Jones (R)  
Title: Fairness in Workers Compensation Benefits  
Status: Pending - Adjourned  
Summary: Relates to fairness in workers compensation benefits.

MA HD 2131 Coakley-Rivera (D)  
Title: Employment Discrimination  
Status: Pending - Adjourned  
Summary: Defines employment discrimination.

MA HD 2644 Rodrigues (D)  
Title: Non Discrimination Training in the Workplace  
Status: Pending - Adjourned  
Summary: Relates to non discrimination training in the workplace.

MA HD 3380 Naughton (D)  
Title: Discrimination of Veterans  
Status: Pending - Adjourned  
Summary: Relates to discrimination of veterans.

MA HD 3874 Story (D)  
Title: Bullying in the Workplace  
Status: Pending - Adjourned  
Summary: Relates to bullying in the workplace.

MA S 57 Montigny (D)  
Title: Equal Benefits and New Mothers  
Status: Pending - Adjourned  
Summary: Requires equal benefits for all new mothers.

MA S 691 Jehlen (D)  
Title: Abusive Waiver Defense  
Status: Pending - Adjourned  
Summary: Relates to defense against abusive waivers; provides that a provision in any contract waiving any substantive or procedural right or remedy relating to a claim of discrimination, retaliation, harassment or violation of public policy in employment shall be deemed unconscionable, void and unenforceable; prohibits retaliatory action or discharge.

MA S 699 Menard (D)  
Title: Workplace Bullying Mobbing and Harassment  
Status: Pending - Adjourned  
Summary: Addresses workplace bullying mobbing and harassment.

MA S 716 Tarr (R)  
Title: Fairness in Disability Adjudication  
Status: Pending - Adjourned  
Summary: Ensures fairness in the disability adjudication process.

MA S 726 Tolman (D)  
 Title: Employee Protection Act  
 Status: Pending - Adjourned  
 Summary: Relates to the Employee Protection Act; prohibits employee contracts that waive right to claim discrimination, harassment or wage violations.

MA S Tolman (D)  
 Title: Fairness for Water Resource Authority Employees  
 Status: Pending - Adjourned  
 Summary: Provides for fairness and equity for Massachusetts Water Resource Authority employees.

MA S 1760 Morrissey (D)  
 Title: Discrimination Laws  
 Status: Pending - Adjourned  
 Summary: Modifies anti-discrimination laws.

MA S 1810 Tarr (R)  
 Title: Gender Equity  
 Status: Pending - Adjourned  
 Summary: Promotes gender equity.

MA S 1817 Tarr (R)  
 Title: Fair Employment and Security  
 Status: Pending - Adjourned  
 Summary: Promotes fair employment and security in the Commonwealth.

MA S 2363 Joint Transportation  
 Title: Equity in Pension Benefits  
 Status: Pending - Adjourned  
 Summary: Promotes equity in pension benefits; provides that any employee who elected to participate in the optional retirement program because the option of marriage was unavailable to that employee may elect to withdraw from the optional retirement program and become a member of the state employees' retirement system by filing an application for this election by a specified time after the effective date of this act; provides for transfer of funds; includes education; relates to compensation withheld.

MA SD 370 Montigny (D)  
 Title: Equal Benefits and New Mothers  
 Status: Pending - Adjourned  
 Summary: Requires equal benefits for all new mothers.

MA SD 518 Morrissey (D)  
 Title: Discrimination Laws  
 Status: Pending - Adjourned  
 Summary: Modifies anti-discrimination laws.

MA SD 651 Tolman (D)  
 Title: Employee Protection Act  
 Status: Pending - Adjourned  
 Summary: Relates to the Employee Protection Act; prohibits employee contracts that waive right to claim discrimination, harassment or wage violations.

MA SD 703 Tarr (R)  
 Title: Gender Equity  
 Status: Pending - Adjourned  
 Summary: Promotes gender equity.

MA SD 826 Tarr (R)  
 Title: Fair Employment and Security  
 Status: Pending - Adjourned  
 Summary: Promotes fair employment and security in the Commonwealth.

MA SD 856 Menard (D)  
 Title: Workplace Bullying Mobbing and Harassment  
 Status: Pending - Adjourned  
 Summary: Addresses workplace bullying mobbing and harassment.

MA SD 887 Tarr (R)  
 Title: Fairness in Disability Adjudication  
 Status: Pending - Adjourned  
 Summary: Ensures fairness in the disability adjudication process.

MA SD 893 Tolman (D)  
 Title: Fairness for Water Resource Authority Employees  
 Status: Pending - Adjourned  
 Summary: Provides for fairness and equity for Massachusetts Water Resource Authority employees.

MA 11 2009 Executive Order: 519  
 Title: Office of Access and Opportunity  
 Status: Order Issued 01/28/2010  
 Summary: Establishes the Office of Access and Opportunity within the Executive Office of Administration and Finance.

## **MICHIGAN**

MI H 4327 Young (D)  
 Title: Employee Discrimination  
 Status: Enacted: 12/21/2009  
 Summary: Provides that an employer may not treat an individual affected by pregnancy, childbirth, or a related medical condition differently for any employment-related purpose from another individual who is not so affected but similar in ability or inability to work, without regard to the source of any condition affecting the other individual's ability or inability to work; provides that related medical condition does not include nontherapeutic abortion.

MI H 4528 Switalski J (D)  
 Title: Credit History  
 Status: Pending - Adjourned  
 Summary: Prohibits employers from making certain recruiting or hiring decisions based upon an individual's credit history; prohibits employers from inquiring about a job applicant's or potential job applicant's credit history; provides an exception for certain types of employment; provides that there shall be no retaliation or discrimination against an individual for filing a related complaint or for testifying, assisting or participating in the investigation, proceeding or action regarding a violation.

MI H 4529 Gregory (D)  
 Title: Employment Discrimination  
 Status: Pending - Adjourned  
 Summary: Prohibits employment discrimination based on physical attributes or fitness.

MI H 4530 Miller (D)  
 Title: Employment Discrimination  
 Status: Pending - Adjourned  
 Summary: Provides a prohibition against employment decisions based on the health or illness of an employee's family member.

MI H 4851 Bauer (D)  
Title: Equal Pay for Equal Work  
Status: Pending - Adjourned  
Summary: Prohibits discrimination for failing to provide equal compensation for comparable work under certain circumstances.

MI H 5330 Opsommer (R)  
Title: Firearm Ownership  
Status: Pending - Adjourned  
Summary: Prohibits employment discrimination based on firearm ownership and firearm-related questions during job interview process.

MI H 5713 Gonzales (D)  
Title: Abusive Conduct  
Status: Pending - Adjourned  
Summary: Provides remedy for abusive conduct in the workplace.

MI S 158 Anderson (D)  
Title: Fair Employment  
Status: Pending - Adjourned  
Summary: Prohibits employment decisions based on health or illness of an employee's family member.

## MINNESOTA

MN H 3592 Sterner (DFL)  
Title: Employment  
Status: Failed - Adjourned  
Summary: Relates to employment; prohibits employment discrimination based on credit history.

MN S 97 Murphy S (DFL)  
Title: Medical Use of Marijuana  
Status: Vetoed: 05/22/2009  
Summary: Relates to health; provides for the medical use of marijuana; provides for the allowable amount of marijuana that may be possessed by a qualifying patient; defines conditions which allow for the medical use of marijuana; requires the development of a related registry; requires a patient registry identification card; provides civil and criminal penalties for violations; prohibits education, landlord, or employer discrimination; relates to caregiver and practitioner liability.

MN S 345 Stumpf (DFL)  
Title: Drivers Licenses  
Status: Enacted: 05/13/2010  
Summary: Relates to drivers licenses; creates enhanced drivers license and enhanced identification card that contains security features; provides for application, issuance, and appearance of card; directs Commissioner of Public Safety to seek approval of card by Homeland Security secretary for proof of identity and citizenship and for use in entering United States; provides that employers may not require enhanced drivers licenses as a condition of employment; provides for enhanced drivers license fees.

MN S 3112 Carlson J (DFL)  
Title: Employment  
Status: Failed - Adjourned  
Summary: Relates to employment; prohibits employment discrimination based on credit history.

## MISSISSIPPI

MS H 49 Mayo (D)  
Title: Workers Compensation  
Status: Failed  
Summary: Relates to workers' compensation; prohibits discharge of employee filing claim in good faith.

MS H 274 Denny (R)  
Title: Municipal Employees  
Status: Failed  
Summary: Relates to municipal employees; prohibit governing authorities from requiring to reside inside municipal boundaries.

MS H 533 Evans B (D)  
Title: Discrimination  
Status: Failed  
Summary: Prohibits use of DNA testing results for discriminatory purpose.

MS HCR 43 Dickson (D)  
Title: State Appointments  
Status: Failed  
Summary: Urges that certain state appointments reflect more of the demographics and diversity of the state.

MS S 2179 Walls (D)  
Title: Anti Discrimination Employment Act  
Status: Failed  
Summary: Enacts Mississippi Anti-Discrimination in Employment Act.

## MISSOURI

MO H 1356 Chappelle-Nadal (D)  
Title: Public Works Contract  
Status: Failed - Adjourned  
Summary: Prohibits a public body from entering into a public works contract with a company that has been found guilty of conducting discriminatory employment practices within the preceding five years.

MO H 1475 Hughes (D)  
Title: Employment Practice  
Status: Failed - Adjourned  
Summary: Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history.

MO H 1488 Jones Ti (R)  
Title: Unlawful Discriminatory Practices  
Status: Failed - Adjourned  
Summary: Changes the Laws regarding unlawful discriminatory practices in employment.

MO H 2319 McNeil (D)  
Title: Governor Appointments  
Status: Failed - Adjourned  
Summary: Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity.

MO H 2403 McNeil (D)  
Title: Governor Appointees Records  
Status: Failed - Adjourned

Summary: Requires the Governor to maintain a record of all appointees to state boards, commissions, committees, and councils and to maintain a listing of the racial and gender composition of such bodies.

MO HCR 55 Low (D)  
Title: Nondiscrimination Policy  
Status: Failed - Adjourned  
Summary: Urges Congress to replace the "don't ask don't tell" policy of the United States military with a policy of nondiscrimination on the basis of sexual orientation.

MO S 626 Justus (D)  
Title: Sexual Orientation Discrimination  
Status: Failed - Adjourned  
Summary: Prohibits discrimination based upon a person's sexual orientation; includes unlawful housing practices, denial of loans or other financial assistance, denial of membership into an organization relating to the selling or renting of dwellings, unlawful employment practices, and denial of the right to use public accommodations.

MO S 732 Cunningham J (R)  
Title: Intellectual Diversity  
Status: Failed - Adjourned  
Summary: Relates to intellectual diversity.

MO S 852 Lager (R)  
Title: Unlawful Discriminatory Practices  
Status: Failed - Adjourned  
Summary: Relates to unlawful discriminatory practices in employment.

## **MONTANA**

MT D 715 Reichner (R)  
Title: Laws Relating to Credit Reports and Employment  
Status: Pending (2011 prefile)  
Summary: Revises laws relating to credit reports and employment and licensure; relates to credit transactions; relates to labor and employment.

## **NEBRASKA**

NE LR 144 Carlson (NP)  
Title: Municipal Employees  
Status: Failed - Adjourned  
Summary: Examines the Commission of Industrial Relations and the statutory requirements for comparable wages and conditions of employment for municipal employees.

## **NEW HAMPSHIRE**

NH H 59 Laliberte (D)  
Title: Service Dogs  
Status: Failed  
Summary: Requires employers of employees with service dogs to place signs prohibiting animals other than service dogs.

NH H 381 Hopper (R)  
Title: State Agency Preferences  
Status: Failed

Summary: Prohibits preferences in recruiting, hiring, promotion, or admission by state agencies, the university system, the community college system, and the postsecondary education commission. It prohibits preferential treatment or discrimination based on race, sex, national origin, religion, or sexual orientation.

NH H 1403 Butynski (D)  
Title: Wrongful Termination  
Status: Failed  
Summary: Prohibits bullying in the workplace.

## **NEW JERSEY**

NJ A 1068 Gusciora (D)  
Title: Public Employee Assistance Program Records  
Status: Pending  
Summary: Sets confidentiality standards for public employee assistance program records; prohibits employer actions against program participants.

NJ A 1519 Chiappone (D)  
Title: Job Discrimination Based on Credit History  
Status: Pending  
Summary: Prohibits job discrimination on basis of credit history or financial status.

NJ A 2048 DeAngelo (D)  
Title: Use of Public Funds By Employers  
Status: Pending  
Summary: Prohibits use of public funds by employers for certain employee influence activities.

NJ A 2561 Conaway (D)  
Title: Credit Check  
Status: Pending  
Summary: Prohibits practice of requiring a credit check as a condition of employment.

NJ A 2563 Vainieri Huttel (D)  
Title: Workplace Gender Equity  
Status: Pending  
Summary: Concerns gender equity in the workplace.

NJ A 3199 DeAngelo (D)  
Title: Credit Inquiry  
Status: Pending  
Summary: Prohibits credit inquiry as a condition of employment.

NJ A 3238 Ramos (D)  
Title: Employment Credit Check  
Status: Pending  
Summary: Prohibits practice of requiring credit check as condition of employment.

NJ A 3359 Barnes P (D)  
Title: Practice of Excluding Unemployed Individuals  
Status: To Governor (veto notice issued 01/06/11)  
Summary: Prohibits the practice of excluding unemployed individuals in advertisements for job vacancies; prohibits an employer or employer's agent, representative, or designee to publish, in print or on the Internet, an advertisement for any job vacancy that prohibits, announces or suggests that unemployed individuals need not apply for a job vacancy; provides penalties for violations.

NJ A 3518 Burzichelli (D)

Title: Public Entities Immunity  
Status: Pending  
Summary: Permits immediate appeal of determinations as to immunity of public entities for Conscientious Employee Protection Act and Law Against Discrimination claims.

NJ S 1791 Turner (D)  
Title: Job Discrimination Based on Credit History  
Status: Pending  
Summary: Prohibits employment discrimination on basis of credit history or financial status.

NJ S 1922 Gill (D)  
Title: Credit Check and Employment  
Status: Pending  
Summary: Prohibits an employer from requiring a credit check on a current or prospective employee as a condition of employment, unless the employer is required to do so by law, or reasonably believes that an employee has engaged in a specific activity that is financial in nature and constitutes a violation of law; provides an exception; prohibits an employer from requiring an employee waive such prohibition; prohibits retaliation or discrimination for certain actions related to a complaint.

NJ S 2388 Beach (D)  
Title: Job Vacancy Ads  
Status: Pending  
Summary: Prohibits practice of excluding unemployed individuals in advertisements for job vacancies.

## **NEW MEXICO**

NM H 165 Cervantes (D)  
Title: Public Employer Retaliatory Action  
Status: Enacted: 03/01/2010  
Summary: Relates to public employment; enacts the Whistleblower Protection Act; prohibits public employer retaliatory action against public employees in certain circumstances; creates a right to civil action for damages; provides a time limitation on actions.

NM SJM 32 McSorley (D)  
Title: Sexual Harassment and Contracts  
Status: Failed - Adjourned  
Summary: Relates to contracts limiting sexual harassment action.

## **NEW YORK**

NY A 574 Cahill (D)  
Title: Human Rights Law  
Status: Pending - Adjourned  
Summary: Clarifies the scope of protections against discrimination on the basis of disability under the New York state human rights law in the areas of employment, public accommodations and government services to be consistent with the federal Americans with Disabilities Act and the current policies and practices of the division of human rights.

NY A 609 Dinowitz (D)  
Title: Jury Service  
Status: Pending - Adjourned  
Summary: Creates, in addition to the existing sanction of criminal contempt of court, the remedies of labor law civil penalties and employee right to bring civil action for unlawful discharge, penalty or discrimination on account of the exercise by an employee of a juror's right to be absent from employment by reason of jury service.

NY A 635 Dinowitz (D)

Title: Human Right Law Discriminatory Practices  
Status: Pending - Adjourned  
Summary: Permits awarding of reasonable attorneys' fees and costs and exemplary damages in court actions for unlawful discriminatory practices pursuant to the Human Rights Law; provides incentive to the employer not to discriminate against the employee knowing there will be financial repercussions for their actions.

NY A 755 Paulin (D)  
Title: Domestic Violence Status  
Status: Enacted: 07/07/2009  
Summary: Prohibits an employer or licensing agency, because of the actual or perceived status of an individual as a victim of domestic violence or stalking, to refuse to hire or employ or to bar or to discharge from employment an individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

NY A 1119 Destito (D)  
Title: Worker Compensation  
Status: Pending - Adjourned  
Summary: Makes it a discriminatory practice for public employers to compensate employees of different sexes differently for work that is of comparable worth; makes exception for seniority system; prohibits reducing anyone's compensation to conform with this provision; provides three years for a compliance plan.

NY A 1473 Wright (D)  
Title: State Civil Service Commission  
Status: Pending - Adjourned  
Summary: Directs the president of the state civil service commission to publish reports annually relating to diversity within state government.

NY A 1482 Wright (D)  
Title: Unjustly Dismissed Employee  
Status: Pending - Adjourned  
Summary: Provides for a proceeding for determining whether an employee was unjustly dismissed; dismissal shall be unjust if based on age, sex, race, religion, national origin, exercise of constitutional rights or refusal to perform illegal or dangerous acts; employee must be given written notice of reasons for dismissal; provides that the burden of proof rests on the employer; requires employers to conspicuously post a copy or summary of this new article.

NY A 2067 Benjamin (D)  
Title: Job Applicant Personal Credit History  
Status: Pending - Adjourned  
Summary: Prohibits the use of job applicant's personal credit history as hiring criteria, unless a reasonable nexus exists.

NY A 2563 Glick (D)  
Title: Funeral and Bereavement Leave  
Status: Enacted: 08/30/2010  
Summary: Provides that employers who extend funeral or bereavement leave to an employee for the death of a spouse, child, parent or other relative shall not deny the same leave for the death of an employee's same-sex committed partner or the child, parent or other relative of the partner; defines same-sex committed partners as those who are financially and emotionally interdependent in a manner commonly presumed of spouses.

NY A 3408 Perry (D)  
Title: Monies Spent On Judgments and Settlement  
Status: Pending - Adjourned  
Summary: Requires tax exempt organizations to report on moneys spent on judgments and settlements regarding harassment, assault or abuse allegations against its officers, directors, employees, agents and trustees.

NY A 3911      John (D)  
 Title:            New York State Fair Pay Act  
 Status:          Pending - Adjourned  
 Summary:        Enacts the "New York State fair pay act"; provides that it shall be an unlawful employment practice for an employer to discriminate between employees on the basis of sex, race and/or national origin by paying different wages.

NY A 4371      Heastie (D)  
 Title:            Day and Temporary Labor Services Act  
 Status:          Pending - Adjourned  
 Summary:        Establishes the Day and Temporary Labor Services Act; requires day and temporary labor service providers to register with the Department of Labor; establishes numerous protections for day and temporary laborers; authorizes the imposition of fines and punishment upon providers and clients who violate a day or temporary laborer's rights.

NY A 4494      Mayersohn (D)  
 Title:            Rent Stabilization Code Provisions  
 Status:          Pending - Adjourned  
 Summary:        Provides that within the rent stabilization code the term harassment shall include attempts to interfere with a tenant's employment through direct or indirect contact by the owner with the tenant's employer regarding matters of the tenancy.

NY A 4498      Brodsky (D)  
 Title:            MacBride Fair Employment Principles Adherence  
 Status:          Pending - Adjourned  
 Summary:        Prohibits a public authority or public benefit corporation from entering into any procurement contract with a contractor or legal entity in which the contractor holds a 10% or greater interest therein, unless such contractor or legal entity stipulates that it has no business operations in Northern Ireland or conducts any business that it has in Northern Ireland in accordance with the MacBride Fair Employment Principles.

NY A 5330      Aubry (D)  
 Title:            Unlawful Discriminatory Practice  
 Status:          Pending - Adjourned  
 Summary:        Establishes it shall be an unlawful discriminatory practice for any prospective employer to make an inquiry about, or to act upon adversely to the individual involved based upon, any criminal conviction of such individual unless such employer first makes a conditional offer of employment to such individual.

NY A 5761      Pretlow (D)  
 Title:            Discrimination in Promotion of Police Officers  
 Status:          Pending - Adjourned  
 Summary:        Prohibits discrimination in the promotion of police officers who fail to meet their employer's traffic ticket quota.

NY A 6285      Hikind (D)  
 Title:            Unlawful Discriminatory Practice for Work Uniform  
 Status:          Pending - Adjourned  
 Summary:        Makes it an unlawful discriminatory practice for any employer, labor organization or employment agency who or which requires employees to perform their duties wearing a specified work uniform to prohibit employees from wearing any article of religious headgear unless such prohibition is reasonably related to the health or safety of employees while on the job.

NY A 6333      Barra (R)  
 Title:            Discrimination Based on Family Responsibilities  
 Status:          Pending - Adjourned  
 Summary:        Prohibits discrimination in employment, education, or public accommodation based on the legal responsibility to care for a child.

NY A 6539 Ortiz (D)  
Title: Unfair Labor and Housing Practices Against Veterans  
Status: Pending - Adjourned  
Summary: Eliminates unfair labor and housing practices against persons with veteran status by expanding the jurisdiction of the human rights commission.

NY A 8012 Jeffries (D)  
Title: Public Employee Discrimination  
Status: Vetoed: 08/13/2010  
Summary: Ensures that persons illegally discriminated against by a public employer due to a prior criminal conviction unrelated to the employment sought is able to seek redress with the Division of Human Rights and the New York City Commission on Human Rights.

NY A 8065 Aubry (D)  
Title: Definition of Direct Relationship  
Status: Pending - Adjourned  
Summary: Relates to the definition of direct relationship for the purposes of article 23-A of the correction law regarding licensures and employment of persons previously convicted of one or more criminal offenses.

NY A 8184 Dinowitz (D)  
Title: Fees in Employment Discrimination Cases  
Status: Pending - Adjourned  
Summary: Awards attorney fees and expert witness fees in employment discrimination cases.

NY A 8293 Carrozza (D)  
Title: Compliance With the Federal Equal Pay Act of 1963  
Status: Pending - Adjourned  
Summary: Seeks to comply with the Federal Equal Pay Act of 1963 by implementing a state policy of compensating employees in state service equally for work of comparable value by eliminating wage inequality in job titles having been segregated by sex, race or national origin; requires the President of the Civil Service Commission to report annually to the Legislature and the Governor on those segregated titles for which wage disparity exists.

NY A 8435 Rosenthal (D)  
Title: Private Right of Action for Nail Specialists  
Status: Pending - Adjourned  
Summary: Provides a private right of action for nail specialist's aggrieved by their employer in the case of a health and safety violation, unlawful retaliatory action, or general labor issues such as hours and breaks.

NY A 8990 Skartados (D)  
Title: Volunteer Firefighter Job Protection  
Status: Pending - Adjourned  
Summary: Relates to volunteer firefighter job protection and volunteer ambulance worker job protection by prohibiting employers from discharging or discriminating against an employee because he or she responded to emergency when acting as a volunteer firefighter or volunteer ambulance worker.

NY A 9018 John (D)  
Title: Victim of Domestic Violence  
Status: Vetoed: 08/13/2010  
Summary: Defines victim of domestic violence; prohibits employers and licensing agencies from discriminating against victims of domestic violence.

NY A 10433 Skartados (D)  
Title: Employers Access to Consumer Credit Reports  
Status: Pending - Adjourned

Summary: Limits an employer's access to consumer credit reports in connection with employment applications.

NY A 10771 Cusick (D)

Title: Discrimination Against Persons With Disabilities

Status: Enacted: 07/15/2010

Summary: Declares that the opportunity to obtain employment or education without discrimination because of disability is a civil right; declares that it is unlawful to refuse to make a reasonable modification to common use portions of a dwelling to accommodate a person with a disability; prohibits boycotting or blacklisting, or refusing to buy from, sell to or trade with a person because of a disability.

NY S 449 Kruger (D)

Title: Unlawful Discriminatory Practice

Status: Pending - Adjourned

Summary: Makes it an unlawful discriminatory practice for any employer, labor organization or employment agency who or which requires employees to perform their duties wearing a specified work uniform to prohibit employees from wearing any article of religious headgear unless such prohibition is reasonably related to the health or safety of employees while on the job.

NY S 937 Robach (R)

Title: Prohibiting Discrimination Against Stalkers

Status: Pending - Adjourned

Summary: Prohibits an employer or licensing agency, because of the actual or perceived status of an individual as a victim of domestic violence or stalking, to refuse to hire or employ or to bar or to discharge from employment an individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

NY S 1166 Johnson C (D)

Title: Hiring Discrimination Against Stalking Victims

Status: Failed

Summary: Prohibits an employer or licensing agency, because of the actual or perceived status of an individual as a victim of domestic violence or stalking, to refuse to hire or employ or to bar or to discharge from employment an individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

NY S 1823 Morahan (R)

Title: Civil Cause of Action for Employees at Abusive Work

Status: Pending - Adjourned

Summary: Establishes a civil cause of action for employees who are subjected to an abusive work environment.

NY S 1922 Morahan (R)

Title: Discrimination on Basis of Disability

Status: Pending - Adjourned

Summary: Clarifies the scope of protections against discrimination on the basis of disability under the New York State Human Rights Law in the areas of employment, public accommodations and government services to be consistent with the federal Americans with Disabilities Act and the current policies and practices of the Division of Human Rights.

NY S 2044 DeFrancisco (R)

Title: Award of Reasonable Attorney Fees

Status: Pending - Adjourned

Summary: Permits awarding of reasonable attorneys' fees and costs and exemplary damages in court actions for unlawful discriminatory practices pursuant to the human rights law; provides incentive to the employer not to discriminate against the employee knowing there will be financial repercussions for their actions.

NY S 2271 LaValle (R)  
 Title: Provisions of Law Relating to Service Awards  
 Status: Pending - Adjourned  
 Summary: Brings certain provisions of law relating to service award programs into compliance with the age discrimination in employment act of 1967.

NY S 2833 Krueger (D)  
 Title: Disability Act Violations  
 Status: Pending - Adjourned  
 Summary: Waives the state's sovereign immunity to liability for violations of the Americans with Disabilities Act of 1990, the Fair Labor Standards Act, the Age Discrimination Act, and the Family and Medical Leave Act; also waives the immunity of all instrumentalities and political subdivisions of the state.

NY S 2956 Adams (D)  
 Title: Quota Prohibition  
 Status: Enacted: 08/30/2010  
 Summary: Modifies provisions relating to the prohibition on quotas for tickets, summonses or arrests; expands the prohibition to include a ticket, summons or arrest authorized by any general, special or local law made within a specified period of time and quotas for stops of individuals suspected of criminal activity within a specified period of time; prohibits an employer from threatening an employee through a reassignment, scheduling change, adverse evaluation, dismissal, or denial of a promotion or of overtime.

NY S 3884 Johnson C (D)  
 Title: Employment Discrimination Cases  
 Status: Pending - Adjourned  
 Summary: Awards attorney fees and expert witness fees in employment discrimination cases.

NY S 4368 Hassell-Thompso (D)  
 Title: Unlawful Discriminatory Practice  
 Status: Pending - Adjourned  
 Summary: Establishes it shall be an unlawful discriminatory practice for any prospective employer to make an inquiry about, or to act upon adversely to the individual involved based upon, any criminal conviction of such individual unless such employer first makes a conditional offer of employment to such individual.

NY S 4898 Aubertine (D)  
 Title: Abortion  
 Status: Pending - Adjourned  
 Summary: Prohibits discrimination against a person who refuses to perform or assist in an abortion when it is against his or her conscience or religious beliefs; gives complete and effective civil rights protection to such person.

NY S 5002 Duane (D)  
 Title: Hospitals  
 Status: Pending - Adjourned  
 Summary: Prohibits hospitals from denying staff membership or professional privileges to any psychologist without stating the reasons therefor; provides that such reasons must be related to standards of patient care, patient welfare, the objectives of the hospital, or the character or competency of the psychologist.

NY S 5271 Montgomery (D)  
 Title: Federal Equal Pay Act of 1963  
 Status: Pending - Adjourned  
 Summary: Seeks to comply with the Federal Equal Pay Act of 1963 by implementing a state policy of compensating employees in state service equally for work of comparable value by eliminating wage inequality in job titles having been segregated by sex, race or national origin; requires the President of the Civil Service Commission to report annually to the Legislature and the Governor on those segregated titles for which wage disparity exists.

NY S 5480 Savino (D)  
Title: Required Gender Salary Equality  
Status: Pending - Adjourned  
Summary: Makes it a discriminatory practice for public employers to compensate employees of different sexes differently for work that is of comparable worth; makes exception for seniority system; prohibits reducing anyone's compensation to conform with this provision; provides three years for a compliance plan.

NY S 5533 Savino (D)  
Title: Federal Older Workers Benefit Protection Act  
Status: Enacted: 09/17/2010  
Summary: Brings the statutory provisions pertaining to the New York state and local employees' retirement system and the New York state and local police and fire retirement system into compliance with the Federal Older Workers' Benefit Protection Act; modifies provisions relating to disability benefits, ordinary death benefits, and post-retirement death benefits.

NY S 6000 Hassell-Thompso (D)  
Title: Victim of Domestic Violence  
Status: Pending - Adjourned  
Summary: Defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.

NY S 306 f Rules Committee  
Title: Domestic Violence Victims  
Status: Failed - Adjourned  
Summary: Prevents housing discrimination against victims of domestic violence; prohibits employers from discriminating against victims of domestic violence in seeking treatment or safety planning; requires law guardians to receive training or education in domestic violence; requires the court to state on the record the domestic violence and child abuse factored into their award of custody or visitation.

NY S 308 f Rules Committee  
Title: Victim of Domestic Violence  
Status: Failed - Adjourned  
Summary: Defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.

NY 20 2009 Executive Order 33  
Title: State Employment Discrimination  
Status: Issued 12/16/2009  
Summary: Prohibits discrimination in state employment on the basis of gender identity.

## **NORTH CAROLINA**

NC H 1049 Luebke (D)  
Title: Nondiscrimination and Teacher Employment  
Status: Failed - Adjourned  
Summary: Amends the State Personnel Act to include sexual orientation and gender identity or expression to the list of classifications covered by the State's Equal Employment Opportunity Law and requiring local Boards of Education to adopt policies for nondiscrimination in employment including sexual orientation and gender identity or expression among the covered classifications.

## **NORTH DAKOTA**

ND D 10135 Office of Legislative Council  
Title: Public Resources Violations Reports  
Status: Pending (2011 prefile)  
Summary: Relates to employee reports of violations of law or misuse of public resources.

## OHIO

- OH H 167 Murray (D)  
Title: Employer Or Landlord Discrimination  
Status: Pending - Adjourned  
Summary: Prohibits an employer or a landlord from discriminating against a victim of domestic violence; Allows a victim of domestic violence to take unpaid leave for court proceedings relating to the incident of domestic violence; Allows a tenant who is a victim of domestic violence to change or have changed the locks to the tenant's dwelling unit; Allows such a tenant to terminate a lease.
- OH H 176 Stewart D (D)  
Title: Sexual Orientation Or Gender Discrimination  
Status: Pending - Adjourned  
Summary: Prohibits discrimination on the basis of sexual orientation or gender identity and expression.
- OH H 320 Martin (R)  
Title: Private Sector Employers Time Off Option  
Status: Pending - Adjourned  
Summary: Affords to private sector employers the option to offer and to employees the option to accrue and use compensatory time off; relates to collective bargaining agreements; provides for payment of monetary overtime compensation to an employee who has accrued such unused compensatory time off upon the voluntary or involuntary termination of employment; prohibits intimidation.
- OH H 340 Yates (D)  
Title: Credit History Employment Discrimination  
Status: Pending - Adjourned  
Summary: Specifies that discrimination by an employer against any person because of the person's credit history is an unlawful discriminatory practice under the Ohio Civil Rights Law.
- OH H 360 Snitchler (R)  
Title: Income Tax Credit  
Status: Pending - Adjourned  
Summary: Grants an income tax credit eliminating tax liability for five years for individuals who obtain journeyman status and who reside in Ohio; Prohibits the Apprenticeship Council from adopting standards for apprenticeship ratios that are stricter than those requirements specified in the federal regulations governing apprenticeship programs and from discriminating against open or merit shops.
- OH H 470 Dyer (D)  
Title: Smoker Employment Discrimination Prohibition  
Status: Pending - Adjourned  
Summary: Prohibits employment discrimination against smokers.
- OH H 488 Harris M (D)  
Title: Lactation Discrimination Prohibition  
Status: Pending - Adjourned  
Summary: Expands the prohibition against discrimination because of or on the basis of sex to prohibit discrimination because of or on the basis of lactation; Requires employers to allow an employee to express breast milk while at work.
- OH S 91 Miller R (D)  
Title: Credit History Discrimination  
Status: Pending - Adjourned  
Summary: Specifies that discrimination by an employer against any person because of the person's credit history is an unlawful discriminatory practice under the Ohio Civil Rights Law.

OH S 195 Patton (R)  
Title: Employer Employee Uniform Standard  
Status: Pending - Adjourned  
Summary: Creates a uniform standard to determine whether an individual performing services for an employer is an employee of that employer; relates to misclassification of public employees as independent contractors, labor organizations, wages and employer retaliation.

## OKLAHOMA

OK H 1902 Duncan (R)  
Title: State Government  
Status: Failed - Adjourned  
Summary: Relates to state government; relates to the Oklahoma Personnel Act; abolishes the Affirmative Action Review Council; provides an effective date; declares an emergency.

OK H 2103 McPeak (D)  
Title: Officers  
Status: Failed - Adjourned  
Summary: Relates to officers; creates the Political Freedom Act; prohibits public entity from making forced resignations of certain employees; provides for codification; provides for noncodification; provides an effective date.

OK H 3081 Hamilton (D)  
Title: State Government  
Status: Failed - Adjourned  
Summary: Prohibits state agencies and business entities conducting business with the State from conducting business with companies owning overseas facilities which pay workers less than the federal minimum wage, companies that do not abide by the environmental rules and laws of this state, companies that do not abide by the rules established by the Occupational Safety and Health Administration, or companies that discriminate against pregnant women.

OK H 3110 Peterson P (R)  
Title: Public Health And Safety  
Status: Failed - Adjourned  
Summary: Relates to public health and safety; creates the Freedom of Conscience Act; defines terms; prohibits employers from discriminating against certain persons for refusing to perform specified acts based on certain beliefs; provides defense; prohibits forced participation in specified acts by certain persons under certain circumstances; provides immunity from liability; provides for equitable relief and damages; provides statute of limitations.

OK S 1232 Sykes (R)  
Title: Discrimination In Employment  
Status: Failed - Adjourned  
Summary: Relates to discrimination in employment; relates to Status Verification System; updates statutory references; provides an effective date.

OK S 1233 Sykes (R)  
Title: Discrimination  
Status: Failed - Adjourned  
Summary: Relates to discrimination.

OK S 1296 Gumm (D)  
Title: Persons With Autism Spectrum Disorders  
Status: Failed - Adjourned  
Summary: Relates to definitions and general provisions; prohibits discrimination against persons with autism spectrum disorders.

OK S 1814 Crain (R)  
Title: Discrimination In Employment  
Status: Enacted: 04/12/2010  
Summary: Relates to discrimination in employment; defines the terms sex, because of sex, and based on sex to include discrimination related to pregnancy, childbirth, or related medical conditions and to require that women affected by such conditions be treated the same for all employment-related purposes.

OK S 1891 Lamb (R)  
Title: Freedom of Conscience  
Status: Enacted: 04/02/2010  
Summary: Relates to public health and safety; creates the Freedom of Conscience Act; prohibits a health care facility, school, or employer from discriminating against an employee or prospective employee by refusing to accommodate the religious observance or practice of the employee or prospective employee; provides that no health care facility shall be required to admit any patient for the purpose of performing an abortion; authorizes a health care provider to refuse to participate in an abortion.

OK S 1961 Jolley (R)  
Title: Discrimination  
Status: Vetoed: 06/11/2010  
Summary: Relates to discriminatory practices in employment, housing, public contracting, and public accommodations; provides for exclusive remedies with regard to certain provisions of the Civil Rights Act, the Americans with Disabilities Act, the Pregnancy Discrimination Act, and the Genetic Information Nondiscrimination Act; makes revisory changes to include genetic discrimination in various provisions and to change the term handicap to disability.

## OREGON

OR H 3653 a Business and Labor Committee  
Title: Workplace Communications  
Status: Failed - Adjourned  
Summary: Modifies certain definitions and exceptions applicable to prohibition against employer taking adverse employment action against employee who declines to attend meeting or participate in communication concerning employer's opinion about religious or political matters; modifies damages available to employee prevailing in civil action; declares emergency, effective on passage.

OR H 3686 a Education Committee  
Title: Unlawful Discrimination in Employment Practices  
Status: Enacted: 04/01/2010  
Summary: Relates to unlawful discrimination in employment practices; clarifies provisions concerning religious discrimination; provides that when considering undue hardship to an employer, a factor of consideration shall be the degree to which an accommodation may constrain the obligation of a school district, education service district or public charter school to maintain religious neutrality.

OR S 1045 a Rosenbaum (D)  
Title: Use of Credit History for Employment Purposes  
Status: Enacted: 03/29/2010  
Summary: Provides that it is an unlawful employment practice for an employer to obtain or use information contained in the credit history of an applicant for employment or employee, or to discriminate against an applicant or employee based on such history; provides an exception for certain financial institutions, employers required to obtain such history by law, and airport security public safety officer employers; authorizes an employee to bring a civil action for a violation.

## PENNSYLVANIA

PA H 164 Solobay (D)  
Title: Breastfeeding  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act of 1955. Defines breastfeeding. Further provides for unlawful discriminatory practices. Provides for breastfeeding by employees.

PA H 300 Frankel (D)  
Title: Unlawful Discriminatory Practices  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act. Provides for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation. Defines sexual orientation and gender identity or expression. Provides for unlawful discriminatory practices, for Powers and duties of commission, for education program and for construction and exclusiveness of remedy.

PA H 780 Creighton (R)  
Title: Citizenship and Immigration Status  
Status: Pending - Adjourned  
Summary: Amends the Crimes and Offenses Code. Provides for mandatory determination of citizenship and immigration status. Allows an arresting authority to inquire into the citizenship and immigration status of all persons arrested for a felony, misdemeanor or summary offense regardless of the person's national origin. Provides for use of an applicant's criminal records by an employer to determine employment only to the extent to which they relate to the applicants suitability for employment in the position applied.

PA H 828 Readshaw (D)  
Title: Human Relations Act  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act. Prohibits certain practices of discrimination because of genetic information. Provides for housing discrimination, employer discrimination and financial discrimination.

PA H 881 Cohen (D)  
Title: Employee Religious and Political Requirements  
Status: Pending - Adjourned  
Summary: Prohibits an employer from requiring an employee to attend a meeting to communicate opinions on religious and political matters.

PA H 985 Kessler (D)  
Title: Department of Banking Code  
Status: Enacted: 06/29/2009  
Summary: Amends the Department of Banking Code. Further defines banking institutions. Provides for employee protection. Provides that a licensee may not bring a cause of action against an employee for damages arising out of a report or participation concerning discrimination or retaliation.

PA H 1290 McGeehan (D)  
Title: Unlawful Discriminatory Practices  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act. Provides for unlawful discriminatory practices for any employer because of the credit history of any individual or independent contractor, to refuse to hire or employ or contract with, discriminate against with respect to compensation, hire, tenure, terms, conditions or privileges of employment or contract, if the individual or independent contractor is the best able and most competent to perform the services required.

PA H 1502 Galloway (D)  
Title: Social Security Numbers Verification

Status: Pending - Adjourned  
Summary: Amends the Procurement Code. Provides for verification of the Social Security Numbers of all employees for purposes of wage reporting and employment eligibility prior to being awarded a contract for a public work. Prescribes penalties of debarment or suspension, termination of the public works contract and termination of subcontractor contracts. Provides for protection from retaliation or discrimination against an employee. Establishes good faith immunity.

PA H 1503 Galloway (D)  
Title: Social Security Numbers Verification  
Status: Pending - Adjourned  
Summary: Requires construction industry employers to verify the Social Security Numbers of all employees for purposes of wage reporting and employment eligibility. Provides for the powers and duties of the Department of Labor and Industry. Prohibits discrimination against an employee on the basis of race, ethnicity, color or national origin. Provides for forfeiture of all licenses and certifications of a construction industry employer upon violation. Establishes good faith immunity.

PA H 1594 Maher (R)  
Title: Disabled Persons Services and Programs  
Status: Pending - Adjourned  
Summary: Establishes the Governor's Cabinet for people with disabilities and the Governor's advisory committee for people with disabilities. Provides for their powers and duties. Relates to discrimination, denial of equal employment, housing and public accommodation opportunities. Provides for services to promote independent living, employment and support of people with disabilities in the least restrictive environment.

PA H 1885 Kotik (D)  
Title: Restrictive Covenants Physician Employment Agreements  
Status: Pending - Adjourned  
Summary: Provides that a contract or agreement which creates or establishes the terms of an employment relationship with a physician, which includes a restriction of the right of the physician to practice medicine in any geographic area for any period of time after the termination of such employment relationship, shall be void and unenforceable with respect to said restriction.

PA H 1906 Cohen (D)  
Title: Genetic Discrimination  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act. Prohibits discrimination in employment, housing, and public accommodation based on genetic information; includes genetic discrimination within the elements of the multicultural educational program established for students of the Commonwealth.

PA H 1983 Marsico (R)  
Title: Employer Discrimination  
Status: Pending - Adjourned  
Summary: Amends the Human Relations Act. Expands the scope of the act as regarding discriminatory employer practices based on race, color, age, sex, national origin or non-job related handicap or disability, includes religious, fraternal, charitable and sectarian corporations and associations employing four or more persons within the Commonwealth.

PA H 2108 Ellis (R)  
Title: Whistleblower Act  
Status: Pending - Adjourned  
Summary: Amends the Whistleblower Act. Provides for the definitions of employee and employer, for enforcement and for penalties. Relates to a public body, a partnership, an association, for profit corporations and not for profit corporations. Provides that such employees are not to be discharged to be discriminated against because of a good faith report of wrongdoing. Provides civil fines for violations.

PA H 2337 Bishop (D)  
Title: Human Relations Act  
Status: Pending - Adjourned  
Summary: Amends the Human Relations Act. Provides for unlawful discriminatory practices. Prohibits printing, publishing or advertising a job opportunity that exclusively utilizes an Internet-based application for employment.

PA H 2366 Josephs (D)  
Title: Credit Report Requirements  
Status: Pending - Adjourned  
Summary: Amends the Human Relations Act. Provides for credit report requirements. Provides that it is an unlawful discriminatory practice for any employer, agent, representative or designee to require an employee or prospective employee to consent to the creation of a credit report that contains information about the person's credit score, credit account balances, payment history, savings or checking account balances or savings or checking account numbers as a condition of employment without substantial reason.

PA HR 44 Watson (R)  
Title: Workplace Pay Disparity  
Status: Pending - Adjourned  
Summary: (Concurrent Resolution) Directs the Joint State Government Commission to study the issue of workplace pay disparity, to reexamine existing Federal and State laws relating to that issue and to make recommendations to the General Assembly.

PA S 280 Orie (R)  
Title: Human Relations Act  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act. Provides for employment of all individuals in accordance with their fullest capacities regardless of their race, color, religious creed, age, sex, national origin, handicap, or disability. Provides for the right to freedom from discrimination in housing and public accommodation.

PA S 420 Williams A (D)  
Title: Unlawful Discriminatory Practices  
Status: Pending - Adjourned  
Summary: Amends the Pennsylvania Human Relations Act. Provides for unlawful discriminatory practices for any employer to procure a consumer report for employment purposes where any information contained in the report bears on the consumer's credit worthiness, credit standing, or credit capacity, unless the information is substantially job-related and the employer's reasons for the use of the information are disclosed to the consumer in writing.

## **PUERTO RICO**

PR H 171 Rivera Ramirez (PNP)  
Title: Employee Gender Discrimination Damages  
Status: Pending  
Summary: Provides that any person, employer or organization that engages in any of the prohibitions of discrimination in employment based on gender must pay a sum equal to three times the amount of damages that the act has caused to the employee or job applicant.

PR H 193 Rivera Ramirez (PNP)  
Title: Equal Opportunities  
Status: Pending  
Summary: Establishes that the Presidents of the Legislature publish in a newspaper of general circulation, the name and the records of the business or company receiving the Award for promoting equal opportunities for women in employment.

PR H 684            Hernandez Lopez (PPD)  
Title:                Employment Equal Opportunity  
Status:              Pending  
Summary:            Establishes as a public policy of Puerto Rico the right of citizens to achieve equal opportunity for employment in government agencies and instrumentalities; prohibits any official requests to deny employment to those interested in obtaining employment.

PR H 1079           Mendez Nunez (PNP)  
Title:                Law on Protection of Working Mothers  
Status:              Pending  
Summary:            Amends the Law on Protection of Working Mothers; clarifies specifically the area of protection coverage offered to mothers; refers to working mothers; extends coverage to workers employed under contract.

PR H 1490           Torres Cruz (PPD)  
Title:                Discrimination or Harassment Provisions  
Status:              Pending  
Summary:            Amends the Workers Compensation System Act; prohibits an employer from discrimination or harassment of an employee who files a claim; authorizes courts to require employers to reimburse the Corporation the cost of expenses incurred in treatment or compensation of the worker or employee if it determines that these are the main cause of discrimination or harassment.

PR H 1725           Fernandez Rodri (PNP)  
Title:                Government Agency Sexual Orientation Policy  
Status:              Pending  
Summary:            Relates to establishing the public policy of the Government on discrimination based on sexual orientation; amends existing laws for the purpose of the legislation to temper the public policy of the Government of Puerto Rico to order all agencies, instrumentalities, departments, public corporations, municipalities, and the Legislative Branch the Judicial Branch to temper their personnel regulations to clearly state the public policy.

PR H 1991           Aponte Hernande (PNP)  
Title:                Equal Opportunity for Employment  
Status:              To Governor  
Summary:            Amends the Law of the Office of the Counsel for Persons with Disabilities for the purposes of assigning responsibility to the office to develop awareness campaigns targeted at human resource professionals to ensure that persons with disabilities have equal opportunities in promoting jobs and access to jobs.

PR H 2287           Gonzalez Colon (PNP)  
Title:                Genetic Information Discrimination Policy  
Status:              Pending  
Summary:            Establishes the Public Policy of the Government against Genetic Information discrimination in public and private employment; amends existing law to temper the public policy of the Government of Puerto Rico established by this Law; orders all agencies, instrumentalities, departments, public corporations, municipalities, the Legislative Branch and the Judicial Branch to temper their staff rules to make clear this public policy.

PR H 2500           Gonzalez Colon (PNP)  
Title:                Genetic Information Discrimination  
Status:              Pending  
Summary:            Creates the Law Against Genetic Information Discrimination; prohibits the unfavorable treatment or discrimination against persons on grounds of their genetic information on the part of employers, labor organizations and organizations of health care plans; establishes definitions.

PR HR 388           Mendez Silva (PPD)  
Title:                Breastfeeding and Breast Milk Law Implementation  
Status:              Pending  
Summary:            Orders the Commissions for Women's Affairs and Equity and Health of the House of Representatives to conduct a study on the implementation by the State of Act No. 95 of 2004 which prohibits

discrimination against mothers who are breastfeeding, Act No. 427 of 2000 which provides a time to breastfeed or extract breast milk within a working day and Act No. 79 of 2004 which prohibits the supply of breast milk substitutes to infants at maternity service centers.

PR HR 847      Rivera Ramirez (PNP)  
Title:            Alleged Sex Discrimination Study  
Status:           Adopted: 11/05/2009  
Summary:        Orders the Committee on Women and Equity of the House of Representatives to conduct a thorough investigation into alleged discriminatory acts prohibited by the Constitution, in particular the alleged discrimination in employment opportunities and the timing of recruitment of women at the University of Puerto Rico and all of their campuses.

PR HR 939      Perello Borrás (PPD)  
Title:            Terminated Public Employees  
Status:           Pending  
Summary:        Orders the Commission of Government to conduct a study, for purposes of determining precisely, the number of people 50 and over who have been fired by the executive branch under the implementation of Chapter III of Law Number 7 of March 9, 2009 and to evaluate the impact of layoffs in the elderly population, to investigate the effect it will have in providing the services the government provides to this population.

PR S 102        Martínez Maldon (PNP)  
Title:            Employee Discrimination rights  
Status:           Pending  
Summary:        Protects employees and applicants employment with prior criminal convictions from discrimination by private employers for workers' organizations, and impose criminal and civil liability for such a recent practice, when not substantiated and is illegitimate.

PR S 696        Dalmau Santiago (PPD)  
Title:            Sexual Harassment Act Amendment  
Status:           Pending  
Summary:        Amends the act that prohibits sexual harassment in employment; provides for the removal of the natural person responsible for sexual harassment in the employment and civil liability concerned by means of final and firm decision.

PR S 1154      Rivera Schatz (PNP)  
Title:            Continuous Training Act  
Status:           Pending  
Summary:        Creates the Continuous Training Act for the purpose of requiring that every government official with oversight responsibilities for staff to attend regular training on the merit principle and discrimination against the legislation and collective bargaining in public service.

PR S 1446      Vazquez Nieves (PNP)  
Title:            Mother Workers Act Amendments  
Status:           Pending  
Summary:        Amends the Working Mother Act in order to reclassify the penalty in force in the Act and provide additional protection for working women.

PR S 1730      Romero Donnelly (PNP)  
Title:            Employment Discrimination  
Status:           Pending  
Summary:        Establishes the Public Policy of the Government of Puerto Rico against discrimination in employment of all rehabilitated ex-convicts; amends Act 100 of June 30, 1959, as amended, known as the Anti-discrimination in Employment Law for the purposes of implementing this public policy.

PR S 1879      González Calder (PPD)  
Title:            Elected Office Equality

Status: Pending  
Summary: Amends the Puerto Rico Electoral Law in order to ensure equal representation of men and women in elected office.

PR S 1880 Gonzalez Calder (PPD)  
Title: Gender Balance Appointments  
Status: Pending  
Summary: Amends the Political Code of 1902, as amended, for the purpose of ensuring a gender balance in appointments to Secretary, head of agency and/or other officials.

PR SCR 4 Burgos Andujar (PNP)  
Title: Joint Legislative Commission on Civil Rights Violation  
Status: Pending  
Summary: Creates a Joint Commission of the House and Senate to investigate the Violation of Civil Rights and Processing Using Selective Agencies Security and Justice within the Government of the Commonwealth and the Federal Government in Puerto Rico for the past eight years.

## **RHODE ISLAND**

RI H 5380 Gablinske (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Forbids discrimination against any government employees because of their membership in a labor or employee organization; allows employees who elect not to join a labor union from being required to pay a service charge in lieu of union dues.

RI H 5384 Segal (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Prohibits inquiries into a person's immigration status concerning the enforcement of state labor, employment, civil rights and employee housing laws.

RI H 7811 Segal (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Would prohibit inquiries into a person's immigration status concerning the enforcement of state labor, employment, civil rights and employee housing laws. This act would take effect upon passage.

RI S 156 Metts (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Prohibits an employer from refusing to hire a person based solely on the existence of a criminal record, with some exceptions, or for a governmental agency from denying an individual a license to work in a particular trade or business based solely on that individual having a criminal record, with certain exceptions.

RI S 157 Levesque (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Relates to employment; restricts inquiries into an individual's immigration status in this state to those necessary to comply with federal immigration law.

RI S 783 McCaffrey (D)  
Title: Criminal Offenses  
Status: Enacted: 07/09/2009

Summary: Relates to criminal offenses against persons with disabilities; amends the state's civil rights laws so as to incorporate definitions and other changes made by the federal ADA Amendments Act; relates to reasonable accommodation, fair housing, employers and employment agencies.

RI S 2211 Metts (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Would prohibit an employer from refusing to hire a person based solely on the existence of a criminal record, with some exceptions, or for a governmental agency from denying an individual a license to work in a particular trade or business based solely on that individual having a criminal record, with certain exceptions. This act would take effect upon passage.

RI S 2340 Levesque (D)  
Title: Labor and Labor Relations  
Status: Failed - Adjourned  
Summary: Would prohibit inquiries into a person's immigration status concerning the enforcement of state labor, employment, civil rights and employee housing laws. This act would take effect upon passage.

## **SOUTH CAROLINA**

SC H 3222 Bedingfield (R)  
Title: Memorial to State Congressional Delegation  
Status: Failed - Adjourned  
Summary: (Concurrent Resolution) Memorializes the State congressional delegation to oppose legislation that disenfranchises State workers by removing their right to a private ballot union election.

SC S 73 Ford (D)  
Title: Discrimination Definitions  
Status: Failed - Adjourned  
Summary: Prohibits employment discrimination because of sexual orientation or gender identity; defines sexual orientation and gender identity.

SC S 76 Ford (D)  
Title: Health Care Facility Visitor Protocols  
Status: Failed - Adjourned  
Summary: Requires health care facilities to establish protocols allowing a patient to designate an individual as an authorized visitor; prohibits discrimination in employment pursuant to fair housing law, the Lodging Establishment Act in the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation.

SC S 329 Fair (R)  
Title: Execution Team Identity  
Status: Enacted: 06/07/2010  
Summary: Prohibits the disclosure of the identity of members of an execution team; allows for a civil cause of action and penalties for a violation; provides that no licensing agency, board, commission or association may file, attempt to file, initiate a proceeding or take any action to revoke, suspend, or deny a license to any person solely because that person participated in the execution of a sentence of death on a person convicted of a capital crime as authorized by law or the director.

SC S 996 Rose (R)  
Title: Unlawful Employment Practices  
Status: Failed - Adjourned  
Summary: Provides that it is an unlawful employment practice for an employer to use an individual's credit report or credit history as the basis to fail or refuse to hire, bar, discharge from employment or otherwise discriminate against an individual with respect to the individual's compensation or terms, conditions, or privileges of

employment; provides that it is not an unlawful employment practice for an employer to consider an individual's credit history under certain circumstances.

## TENNESSEE

TN H 480 Hill (R)  
Title: English Only Policy  
Status: Failed - Adjourned  
Summary: Relates to employees and employers; clarifies that it is not a discriminatory practice under state law for an employer to institute an English-only policy in the employer's workplace based on business necessity.

TN H 2368 Odom (D)  
Title: Employees Employers  
Status: Failed - Adjourned  
Summary: Relates to employees employers; makes it a discriminatory practice for an employer to run a name only background check without informing the applicant and to base a hiring decision on the information received when the information was actually based on another person whose name was the same or similar to the applicant.

TN H 3141 McDonald (D)  
Title: Firearms and Ammunition  
Status: Failed - Adjourned  
Summary: Prohibits employers from prohibiting persons possessing a handgun carry permit from transporting and storing a firearm out of sight in a locked vehicle on any property set aside for vehicles; prohibits employer from terminating, demoting, or other discriminating against such employee.

TN S 469 Johnson J (R)  
Title: Employees Employers  
Status: Failed - Adjourned  
Summary: Relates to employees employers; clarifies it is not a discriminatory practice under state law for an employer to institute an English-only policy in the employer (TM)s workplace based on business necessity.

TN S 825 Marrero (D)  
Title: Sex Discrimination  
Status: Failed - Adjourned  
Summary: Relates to sex discrimination; enacts Pay Equity in the Workplace Act of 2009.

TN S 1283 Bunch (R)  
Title: Religion and Religious Organizations  
Status: Failed - Adjourned  
Summary: Relates to religion and religious organizations; prohibits a government entity from substantially burdening a person's free exercise of religion unless it demonstrates the application of the burden is essential to further a compelling government interest and is the least restrictive means of furthering that interest.

TN S 2222 Marrero (D)  
Title: Employees Employers  
Status: Failed - Adjourned  
Summary: Relates to employees employers; makes it a discriminatory practice for an employer to run a name only background check without informing the applicant and to base a hiring decision on the information received when the information was actually based on another person whose name was the same or similar to the applicant.

TN S 3009 Jackson (D)  
Title: Firearms and Ammunition  
Status: Failed - Adjourned  
Summary: Prohibits employers from prohibiting persons possessing a handgun carry permit from transporting and storing a firearm out of sight in a locked vehicle on any property set aside for vehicles; prohibits employer from terminating, demoting, or other discriminating against such employee.

## UTAH

UT H 128 Johnson C (D)  
Title: Discrimination in Employment and Housing  
Status: Failed - Adjourned  
Summary: Requires the study by a legislative interim committee of public policy related to discrimination in employment and housing.

UT H 305 Johnson C (D)  
Title: Antidiscrimination Act  
Status: Failed - Adjourned  
Summary: Modifies the Utah Antidiscrimination Act and Utah Fair Housing Act to address discrimination, including discrimination on the basis of sexual orientation or gender identity; modifies definition provisions related to employment and housing discrimination, including defining "gender identity" and "sexual orientation"; includes gender identity and sexual orientation as a consideration in appointments to the Antidiscrimination and Labor Advisory Council.

## VERMONT

VT H 522 Wizowaty (D)  
Title: Employment Practices  
Status: Failed - Adjourned  
Summary: Proposes to generally prohibit employers from making employment decisions based on an applicant's credit report.

VT H 583 Heath (D)  
Title: Employment Practices  
Status: Failed - Adjourned  
Summary: Proposes to make it unlawful for an employer to discriminate based on a person's weight.

VT S 87 Cummings (D)  
Title: Bully Protection  
Status: Failed - Adjourned  
Summary: Protects employees from bullying or being a victim of abusive treatment in the workplace.

## VIRGINIA

VA H 454 Herring (D)  
Title: Virginia Human Rights Council  
Status: Failed  
Summary: Expands the protection for employees for discrimination by certain employers those having more than five but less than 15 employees for failure or refusal to hire or for otherwise discriminating against any individual with respect to his compensation, terms, conditions, or privileges of employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, including lactation, or of age if the employee is 40 years old or older.

VA H 455 Herring (D)  
Title: Genetic Characteristics Discrimination  
Status: Failed  
Summary: Prohibits the Commonwealth and other public bodies from taking adverse employment actions based on genetic testing or genetic characteristics.

VA H 1116 Ebbin (D)  
Title: Public Employment  
Status: Failed

Summary: Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran.

VA H 1399 Janis (R)  
Title: Fraud Against Taxpayers Act  
Status: Pending - Carryover  
Summary: Provides that the Fraud Against Taxpayers Act creates a cause of action for an employee of the Commonwealth, its agencies, or any political subdivision against such entity if an adverse employment action is taken against the employee by his employer because the employee has opposed any practice by his employer prohibited by the Act or participated in an investigation, action, or hearing under the Act.

VA S 66 McEachin (D)  
Title: Nondiscrimination in State Employment  
Status: Failed  
Summary: Relates to nondiscrimination in state employment.

VA S 747 McEachin (D)  
Title: Nondiscrimination in State Employment  
Status: Pending - Carryover  
Summary: Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended.

## WASHINGTON

WA H 3026 Santos (D)  
Title: School District Discrimination  
Status: Enacted: 03/29/2010  
Summary: Relates to school district compliance with civil rights laws; requires the superintendent of public instruction to develop rules and guidelines to eliminate discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities, access to course offerings, and in textbooks and instructional materials; provides that schools shall be monitored for compliance; creates a right of action for civil damages.

## WEST VIRGINIA

WV H 4490 Fleischauer (D)  
Title: State Boards Commissions Committees  
Status: Failed - Adjourned  
Summary: Requires all state boards, commissions, committees or councils to be gender balanced and to have proportionate representation of minorities.

## WISCONSIN

WI A 31 Sinicki (D)  
Title: Discrimination in Employment Consequences  
Status: Failed  
Summary: Relates to authorizing the circuit court to order a person who engages in discrimination in employment to pay compensatory and punitive damages and a surcharge and making an appropriation.

WI A 36 Mason (D)  
Title: Violations of Medical Leave Acts  
Status: Failed

Summary: Relates to liability of the state for a violation of the federal Family and Medical Leave Act of 1993, Fair Labor Standards Act, or Age Discrimination in Employment Act of 1967 or of Title I of the federal Americans with Disabilities Act of 1990.

WI A 132 Huebsch (R)  
Title: Unpaid Leave for Civil Air Patrol Duties  
Status: Enacted: 10/28/2009  
Summary: Relates to a requirement that an employer grant an unpaid leave of absence to allow an employee to participate in an emergency search and rescue service operation of the Civil Air Patrol if the employee is a member of the Civil Air Patrol, the employer is notified in writing and the leave of absence does not disrupt the employer's operations; prohibits discrimination in employment based on Civil Air Patrol membership.

WI A 367 Hixson (D)  
Title: Employment Discrimination Based on Credit History  
Status: Failed  
Summary: Prohibits employment discrimination based on credit history; provides that it is not employment discrimination if an individual's credit history is substantially related to the circumstances of a particular job or licensed activity or that the job or licensed activity depends on bondability.

WI A 560 Law Revision Committee  
Title: Employment Relations Commission  
Status: Enacted: 04/21/2010  
Summary: Relates to remedial statutory changes affecting the Employment Relations Commission; makes technical corrections concerning the filing period for Fair Employment Act complaints, investigations, county merit system appeals, and the Division of Equal Rights.

WI A 663 Schneider (D)  
Title: Consolidated Court Automation Programs  
Status: Failed  
Summary: Restricts access to certain information in the Consolidated Court Automation Program (CCAP); provides for a database accessible to the general public providing information regarding a person found guilty of a crime, liable in a civil matter or the subject of a restraining order, injunction, or eviction and another database accessible to judges, court employees, law enforcement personnel, lawyers, journalists, and debt collectors; prohibits job or housing discrimination based on data contained in the CCAP.

WI A 831 Van Akkeren (D)  
Title: Employee Discrimination  
Status: Failed  
Summary: Relates to prohibiting discrimination against an employee who declines to attend an employer-sponsored meeting or to participate in any communication with the employer or with an agent, representative, or designee of the employer, the primary purpose of which is to communicate the opinion of the employer about religious or political matters.

WI A 929 Pocan (D)  
Title: Willful Misclassification of an Employee  
Status: Enacted: 05/12/2010  
Summary: Relates to willful misclassification of an employee as a nonemployee by a person engaged in the painting or drywall finishing of buildings or other structures with intent to evade the laws related to income tax withholding, worker's compensation, unemployment insurance, or employment discrimination.

WI A 945 Sinicki (D)  
Title: Discrimination in Employment  
Status: Failed  
Summary: Relates to prohibiting any limitation on the rights, remedies, or procedures that are provided to an individual or class of individuals under the law prohibiting discrimination in employment.

WI S 20 Hansen (D)  
Title: Discrimination in Employment  
Status: Enacted: 06/08/2009  
Summary: Authorizes the circuit court to order a person who engages in discrimination in employment, unfair honesty testing or unfair genetic testing to pay compensatory and punitive damages, plus reasonable costs and attorney fees; provides that the person discriminated against may not bring an action against any local governmental unit or against any employer, labor organization, or employment agencies employing fewer than a specified number of individuals.

WI S 275 Taylor (D)  
Title: Employment Discrimination Based on Credit History  
Status: Failed  
Summary: Prohibits employment discrimination based on credit history; provides that discrimination includes requiring an employee to authorize an employer to procure a credit history; provides an exemption if the credit history is related to the job or if the employee must be bonded.

WI S 366 Coggs (D)  
Title: Unemployment Insurance Law  
Status: Failed  
Summary: Amends the unemployment insurance law; relates to disqualification for full-time work, voluntary termination, pension payments, bonuses, profit-sharing payments, surplus assessment revenues credited to the balancing amount of the unemployment reserve fund to pay benefits not chargeable to any employer's account; prohibits unlawful discrimination or retaliation against any employee participating in any audit or fraud investigation; relates to voluntary contributions, tribal exclusions and work training.

WI S 585 Coggs (D)  
Title: Employee Discrimination  
Status: Enacted: 05/12/2010  
Summary: Relates to prohibiting discrimination against an employee who declines to attend an employer-sponsored meeting or to participate in any communication with the employer or with an agent, representative, or designee of the employer, the primary purpose of which is to communicate the opinion of the employer about religious or political matters.

WI S 612 Taylor (D)  
Title: Employment Interview Prohibitions  
Status: Failed  
Summary: Relates to prohibiting consideration of any conviction record of an applicant for employment before the applicant has been selected for an interview.

WI S 669 Risser (D)  
Title: Willful Misclassification of an Employee  
Status: Failed  
Summary: Relates to willful misclassification of an employee as a nonemployee by a person engaged in the painting or drywall finishing of buildings or other structures with intent to evade the laws related to income tax withholding, worker's compensation, unemployment insurance, or employment discrimination.

WI SJR 71 Grothman (R)  
Title: Discrimination  
Status: Failed  
Summary: Proposes a constitutional amendment prohibiting the state and local governments from discriminating against, or granting preferential treatment to, an individual or group on the basis of race, sex, color, ancestry, or national origin in the operation of public employment, public education, or public contracting.

**WYOMING**

WY H 87            Connolly (D)

Title:             Discrimination

Status:            Failed

Summary:         Relates to discrimination; prohibits discrimination based on sexual orientation or gender identity as specified; provides for an effective date.

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