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## State Employment Discrimination Legislation

### 2009 Year-End Summary

#### ALABAMA

- AL H 300 Grimes (R)  
Title: Teacher Rights  
Summary: Provides teacher rights and protection for a public school teacher or a teacher at an institution of higher education to present scientific information pertaining to the full range of scientific views in applicable curricula or in a course of learning; provides employment and tenure protection and protection against discrimination for any public school teacher or teacher at a public institution of higher education related to the presentation of such information.  
Status: 02/03/2009: Introduced. To House Committee on Education Policy.
- AL H 889 Wood (R)  
Title: Public Employee Representative Political Freedom Act  
Summary: Establishes the Public Employee Representative Political Freedom Act; provides that no public employee may be discriminated against or disciplined for communications with an elected public official; provides for damages and attorney's fees for an injured employee.  
Status: 04/14/2009: Introduced. To House Committee on Judiciary.
- AL S 559 Beason (R)  
Title: Discriminating  
Summary: Prohibits 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 and provide that actions in violation of the prohibition would be void.  
Status: 05/14/2009: Indefinitely postponed.

#### ALASKA

- AK S 190 Wielechowski (D)  
Title: Biometric Information for Identification  
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.  
Status: 04/10/2009: Introduced. To Senate Committee on State Affairs. To Senate Committee on Judiciary.
- AK S 83 Senate Rules Committee  
Title: Employment of People with Disabilities

Summary: Repeals the governor's committee on employment of people with disabilities; creates the state vocational rehabilitation committee; relates to the committee.  
Status: 02/06/2009: From Senate Committee on Labor and Commerce: Do pass with substitute.

## ARIZONA

AZ H 2228 Ableser (D)  
Title: Employment Discrimination  
Summary: Concerns employment discrimination; relates to enforcement; relates to damages, estoppel, tolling, waivers and a statute of limitations; relates to reasonable accommodations for a disability.  
Status: 01/22/2009: To House Committee on Judiciary. Additionally referred to House Committee on Commerce. Additionally referred to House Committee on Rules.

AZ H 2475 Ableser (D)  
Title: Unlawful Employee Termination  
Summary: Concerns unlawful employee termination; relates to family responsibilities.  
Status: 02/10/2009: To House Committee on Government. Additionally referred to House Committee on Commerce. Additionally referred to House Committee on Rules.

AZ H 2596 Patterson (D)  
Title: Disabled Employees  
Summary: Concerns disabled employees; relates to employer harassment.  
Status: 02/19/2009: To House Committee on Commerce. Additionally referred to House Committee on Judiciary. Additionally referred to House Committee on Rules.

AZ H 2606 Sinema (D)  
Title: Employment Discrimination  
Summary: Concerns civil rights; relates to discrimination; relates to employment.  
Status: 02/19/2009: To House Committee on Commerce. Additionally referred to House Committee on Judiciary. Additionally referred to House Committee on Rules.

AZ HCR 2019 Montenegro (R)  
Title: Discrimination  
Summary: Proposes a Constitutional amendment providing that the state shall not discriminate against or grant 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.  
Status: 06/22/2009: House Engrossed. Printed. Substituted for SCR 1031. In Senate. Read third time. Passed Senate.

AZ S 1161 Pearce (R)  
Title: Law Enforcement Officers  
Summary: Prohibits disciplinary action against a law enforcement officer unless there is just cause.  
Status: 06/30/2009: From House Committee on Rules: Do pass constitutional and in proper form. To House Committee of the Whole.

AZ S 1168 Pearce (R)  
Title: Transportation and Storage of Firearms  
Summary: Provides that a property owner, tenant, public or private employer or a business entity shall not prohibit a person from lawfully transporting or storing a firearm that is in the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle and not visible from the outside of the motor vehicle or motorcycle; provides exceptions, including a nuclear generating station and a military base, for an entity that has a secure storage area.  
Status: 07/13/2009: Signed by Governor. Chapter No. 177

AZ S 1368 Aboud (D)

Title: Employment Discrimination  
Summary: Prohibits employment discrimination.  
Status: 06/08/2009: To Senate Committee on Commerce and Economic Development.  
Additionally referred to Senate Committee on Rules.

AZ SCR 1031 Pearce (R)  
Title: Discrimination and Preferential Treatment  
Summary: Proposes an amendment to the State Constitution; concerns discrimination; prohibits preferential treatment in public employment, public education or public contracting.  
Status: 06/23/2009: Senate Engrossed. Printed.

## ARKANSAS

AR H 1374 Stewart (D)  
Title: Military Code and Sexual Misconduct  
Summary: Provides that any person subject to the State Military Code who attempts or offers to cause bodily harm to another person through sexual contact with unlawful force, abuse of authority, or violence is guilty of sexual misconduct and shall be punished as a court martial may direct.  
Status: 02/20/2009: Signed by Governor. Act No. 207

AR H 1453 Tyler (D)  
Title: Department of Labor  
Summary: Authorizes the department of labor to seek recovery of unlawfully collected fees under the state private employment agency act; provides that the department may seek to recover in a court of competent jurisdiction fees charged or collected in violation.  
Status: 03/13/2009: Signed by Governor. Act No. 405

AR HJR 1009 Carroll (G)  
Title: Atheist in Office  
Summary: Amends the Arkansas constitution to repeal the prohibition against an atheist holding any office in the civil departments of the state of Arkansas or testifying as a witness in any court.  
Status: 02/11/2009: Introduced. To House Committee on State Agencies and Governmental Affairs.

## CALIFORNIA

CA A 1000 Ma (D)  
Title: Employment: Paid Sick Days  
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.  
Status: 05/28/2009: In Assembly Committee on Appropriations: Heard, remains in Committee.

CA A 1001 Skinner (D)  
Title: Employment: Familial Status Protection  
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.  
Status: 05/28/2009: In Assembly Committee on Appropriations: Heard, remains in Committee.

CA A 556 Conway (R)  
Title: Personal Services Contracts

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.  
Status: 03/16/2009: To Assembly Committee on Judiciary.

CA A 781 Jeffries (R)  
Title: Public Employment: Language  
Summary: prohibit a city, county, or state governmental entity from discriminating against an employee or an applicant for employment on the basis of the ability of the employee or applicant to speak a language other than English, unless an ability to speak a language other than English constitutes a bona fide occupational qualification.  
Status: 05/12/2009: In Assembly Committee on Judiciary: Not heard.

CA A 793 Jones (D)  
Title: Employment: Discrimination  
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.  
Status: 10/11/2009: Vetoed by Governor.

CA ACA 7 Hernandez (D)  
Title: Public Education  
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.  
Status: 04/20/2009: To Assembly Committee on Judiciary.

CA ACR 55 Torlakson (D)  
Title: University of California: Workplace Bullying  
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.  
Status: 08/27/2009: In Senate Committee on Appropriations: Not heard.

CA HR 20 Eng (D)  
Title: Employment Discrimination  
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.  
Status: 09/12/2009: In Assembly. Read third time and amended. To third reading. In Assembly. Read third time. Adopted by Assembly.

CA S 115 Lowenthal A (D)  
Title: Public Employment  
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.  
Status: 10/11/2009: Vetoed by Governor.

CA S 242 Yee (D)  
Title: Civil Rights: Language Restrictions

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.  
Status: 10/11/2009: Vetoed by Governor.

## COLORADO

CO H 1117 Frangas (D)  
Title: Unearned Compensation  
Summary: Prohibits unearned compensation given to a principal of a publicly traded business entity if it is undercapitalized or expected to become undercapitalized; authorizes action by a shareholder, creditor, receiver, assignee, trustee, or the Attorney General to recover the prohibited payment; authorizes damages and reasonable attorney fees for violations of the principal's fiduciary duty; prohibits retaliation and subjects a person liable for such retaliation to treble damages plus attorney fees.  
Status: 02/17/2009: From House Committee on Business Affairs and Labor: Postponed indefinitely.

CO S 110 Morse (D)  
Title: Civil Rights Commission and Division  
Summary: Provides for the continuation of the State Civil Rights Commission and Division and their respective functions relating to employment discrimination cases, unfair employment practices, employer interference with a crime victim leaving work to seek protection, the reinstatement or hiring and back pay for such practices, and discrimination in places of public accommodation.  
Status: 06/02/2009: Session Law Chaptered. Chapter No. 238

## CONNECTICUT

CT H 5521 Lesser (D)  
Title: Credit Reports As a Basis For Employment Decisions  
Summary: Concerns credit reports as a basis for employment decisions; prevents discrimination against prospective employees on the basis of their credit history.  
Status: 05/14/2009: Reissued by Legislative Commissioner's Office with File No. 959.

CT H 6185 Joint Committee on Labor and Public Employees  
Title: Access to Personnel Files  
Summary: Relates to equal pay for equal work; concerns penalties for violations of certain personnel files statutes; creates civil, compensatory and punitive penalties for employers who do not provide access to personnel files to their employees; provides that no employer shall discharge, expel or otherwise discriminate against any person because such person has opposed any discriminatory compensation practice or because such person has filed a complaint or testified or assisted in any proceeding.  
Status: 06/03/2009: Signed by Governor. Public Act No. 101

CT H 6188 Joint Committee on Labor and Public Employees  
Title: Violence in the Workplace  
Summary: Concerns state employees and violence and bullying in the workplace; codifies the existing policies and procedures for state employees for handling violence in the workplace and add language concerning abusive conduct in the workplace.  
Status: 04/15/2009: Committee Substitute reported out of Legislative Commissioner's Office. Reissued by Legislative Commissioner's Office with File No. 631.

CT S 114 Prague (D)  
Title: Corporations Terminating Employees

Summary: Concerns corporations terminating employees with disabilities for taking long meal breaks; prevents corporations from terminating employees with learning disabilities for taking long meal breaks.  
Status: 03/12/2009: Failed Joint Favorable deadline.

CT S 714 Joint Committee on Labor and Public Employees  
Title: Retaliation For Use Of Paid Sick Leave  
Summary: Concerns retaliation for use of paid sick leave; prevents retaliation from employers for an employee's use of their accumulated paid sick leave.  
Status: 03/12/2009: Failed Joint Favorable deadline.

## **DELAWARE**

DE EO 14 Office of the Governor  
Title: State Government  
Summary: (Executive Order Number Twelve) 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.  
Status: 10/05/2009: Issued By Governor

DE H 5 Schwartzkopf (D)  
Title: Discrimination  
Summary: Relates to discrimination in employment, public works contracting, housing, equal accommodations and the insurance business.  
Status: 04/07/2009: To Senate Committee on Executive.

DE S 121 Sokola (D)  
Title: Discrimination  
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.  
Status: 07/02/2009: Signed by Governor. Chapter Number 90

## **DISTRICT OF COLUMBIA**

DC B 136 Barry (D)  
Title: Human Rights for Ex Offenders  
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.  
Status: 02/03/2009: Introduced. To Council Committee on Aging and Community Affairs.

DC B 62 Cheh (D)  
Title: Intern Anti Discrimination Amendment Act  
Summary: Amends the Human Rights Act of 1977 to expand the definition of employees to include unpaid interns.  
Status: 01/06/2009: Introduced. To Council Committee on Aging and Community Affairs.

## **FLORIDA**

FL H 635 Scionti (D)  
Title: Military Affairs

Summary: Relates to military affairs; relates to references with respect to courts-martial; revises applicability of provisions with respect to immunity of National Guard members ordered into state active duty from penalization by employers; provides for entitlement of National Guard members returning to work following state active duty to seniority and other rights and benefits; provides that such members shall not be discharged from employment except for cause; relates to related actions by employees.  
Status: 06/01/2009: Signed by Governor. Filed as Chapter No. 122

## HAWAII

HI H 1480 Hanohano (D)  
Title: Discriminatory Practices  
Summary: Amends the definition of disability; amends and adds certain definitions to broaden detection against employment disability discrimination in the state.  
Status: 02/18/2009: In House. Read second time. To House Committee on Judiciary.

HI H 31 Oshiro M (D)  
Title: Employment Credit History Prohibited  
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.  
Status: 07/15/2009: Governor's veto overridden by Senate. To House for concurrence.  
Governor's veto overridden by House. Special Session of 2009 Act No. 1

HI H 952 Pine (R)  
Title: Labor Unions and Private Sector  
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.  
Status: 07/15/2009: Governor's veto overridden by Senate. To House for concurrence.  
Governor's veto overridden by House. Special Session of 2009 Act No. 6

HI HCR 3 Mizuno (D)  
Title: Military and Nondiscrimination Against Homosexuals  
Summary: Requests the United States Congress to establish a policy of nondiscrimination on the basis of sexual orientation for members of the United States Armed Forces.  
Status: 01/23/2009: To House Committee on Economic Revitalization, Business and Military Affairs.

HI S 1183 Takamine (D)  
Title: Employment and Discriminatory Practices  
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.  
Status: 07/15/2009: Vetoed by Governor. Governor's veto overridden by Senate. To House for concurrence. Governor's veto overridden by House. Special Session of 2009 Act No. 30

## ILLINOIS

IL H 1240 Franks (D)  
Title: Right to Privacy in the Workplace Act

Summary: Amends the Right to Privacy in the Workplace Act. Makes a technical change in a Section concerning prohibited inquiries.  
Status: 03/13/2009: Rereferred to House Committee on Rules.

IL H 2475 Howard (D)  
Title: Illinois Human Rights Act  
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.  
Status: 04/03/2009: Rereferred to House Committee on Rules.

IL H 326 Pihos (R)  
Title: School Student Records  
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.  
Status: 04/03/2009: Rereferred to House Committee on Rules.

IL H 374 Turner (D)  
Title: Abusive Work Environment Act  
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.  
Status: 04/03/2009: Rereferred to House Committee on Rules.

IL H 4139 Schmitz (R)  
Title: Illinois Human Rights Act  
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.  
Status: 03/13/2009: Rereferred to House Committee on Rules.

IL H 4205 Myers (R)  
Title: Service Member's Employment Tenure Act  
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.  
Status: 05/19/2009: In Senate. Read third time. Passed Senate. To House for concurrence. In House. Placed on Calendar Order of Concurrence - Amendment No. 1.

IL H 4620 Ford (D)  
Title: Discrimination Based on Criminal Convictions  
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.  
Status: 09/30/2009: To House Committee on Rules.

IL H 59 Currie (D)  
Title: Discrimination Complaint Procedures  
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.  
Status: 10/30/2009: In Senate. Motion filed to accept Governor's Amendatory Veto. To Assignments. From Senate committee on Assignments: Motion to accept Governor's Amendatory Veto - To committee on Judiciary. From Senate committee on Judiciary: Motion to Accept Amendatory Veto - Approved for Consideration. Governor's Amendatory Veto accepted by Senate. Both Houses Accept Amendatory Veto.

IL HJR 40 Turner (D)  
Title: Workplace Bullying  
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.  
Status: 05/28/2009: From Senate Committee on State Government and Veterans Affairs: Do pass. In Senate. Placed on Calendar Order of Resolutions. In Senate. Passed Senate.

IL S 1508 Koehler (D)  
Title: Illinois School Student Records Act  
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.  
Status: 08/24/2009: Signed by Governor. Public Act No. 628

IL S 1657 Lightford (D)  
Title: Employment Discrimination  
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.  
Status: 04/01/2009: In Senate. Third Reading - Short Debate - Lost.

IL S 1770 Steans (D)  
Title: Victims' Economic Security and Safety Act  
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.  
Status: 08/24/2009: Signed by Governor. Public Act No. 635

IL S 1928 Silverstein (D)  
Title: Department of Human Rights Special Fund

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.  
Status: 08/28/2009: Signed by Governor. Public Act No. 786

IL S 40 Garrett (D)  
Title: Department of Central Management Services  
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.  
Status: 07/27/2009: Signed by Governor. Public Act No. 78

## INDIANA

IN H 1014 Smith V (D)  
Title: Age Discrimination  
Summary: Relates to age discrimination; increases to 75 years the maximum age for discrimination claims; prohibits discrimination by an employer, a labor organization, or an employment agency against an individual 40 years of age or older; provides that any such discriminatory labor contract, agreement or understanding is null and void.  
Status: 05/13/2009: Signed by Governor. Public Law No. 166

IN H 1205 Bischoff (D)  
Title: Injured Volunteer Firefighters  
Summary: Provides that the state, a political subdivision or a private employer may not discipline an employee who is a member of a volunteer fire department and who is injured or absent from work because of an injury that occurs while the employee is engaged in emergency firefighting or emergency response activities; provides that the employer may require medical evidence showing treatment for the injury and a connection between the injury and the employee's emergency response activities.  
Status: 05/01/2009: Signed by Governor. Public Law No. 63

IN H 1537 Noe (R)  
Title: Higher Education Accountability and Reporting  
Summary: 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.  
Status: 01/16/2009: Introduced. To House Committee on Education.

IN S 130 Errington (D)  
Title: State Employee Job Evaluation System  
Summary: Requires the civil rights commission to establish a job evaluation system for the state personnel department to use to determine the comparable work value of the work performed by each class of state employees; requires the state personnel department to submit a report containing the results of its activities to the general assembly not later than January 1 of each odd-numbered year, beginning in 2011.  
Status: 01/07/2009: Introduced. To Senate Committee on Pensions and Labor.

IN S 314 Errington (D)

Title: State Economic Development Incentives  
Summary: Provides that certain state economic development entities may not provide specified economic development incentives after June 30, 2009, to or for an employer unless the employer agrees and certifies to that effect that the employer will not, solely because of the location of an individual's residence within Indiana, prohibit the individual from applying for employment with the employer.  
Status: 01/08/2009: Introduced. To Senate Committee on Tax and FISCAL Policy.

IN S 33 Mrvan (D)  
Title: Equivalent Jobs And Wage Discrimination  
Summary: Provides that an employer may not discriminate against an employee on the basis of sex, race, or national origin by paying a wage less than the wage paid to an employee of another sex, race, or national origin for work in an equivalent job; requires an employer to keep certain records of wages paid to an employee and to provide certain documentation to the employee, including an annual statement of how the wages were calculated.  
Status: 01/07/2009: Introduced. To Senate Committee on Pensions and Labor.

## IOWA

IA H 243  
Title: Gender Balance  
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.  
Status: 09/02/2009: Chapter No. 162

IA H 793 House Labor Committee  
Title: Employee Political Activities  
Summary: Prohibits employers from infringing on employees political activities after work hours and if not using company resources.  
Status: 04/14/2009: To House Committee on Labor.

IA HSB 73 House State Government Committee  
Title: Unfair Unemployment  
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.  
Status: 01/22/2009: Introduced. To House Committee on State Government.

IA HSB 9 House Veterans Affairs Committee  
Title: Veterans Affairs  
Summary: Concerns preferential hiring treatment by government for veterans.  
Status: 01/15/2009: Introduced. Filed as Draft: 1352. To House Committee on Veterans Affairs.

IA S 137 Senate State Government Committee  
Title: Wage Discrimination  
Summary: Provides that wage discrimination is an unfair employment practice under the state civil rights act; provides an enhanced remedy.  
Status: 09/02/2009: Chapter No. 96

IA SSB 1089 Senate State Government Committee  
Title: Wage Discrimination  
Summary: Provides that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.  
Status: 02/10/2009: In Senate. Becomes Senate File 137.

## KANSAS

KS H 2044 Joint Committee on Administrative Rules and Regulations  
Title: Converted Insurance Policies  
Summary: Concerns insurance; relates to converted policies; pertains to premium payments by terminated employees.  
Status: 01/22/2009: To House Committee on Insurance.

KS H 2218 Swenson (R)  
Title: Healthy Workplace Act  
Summary: Enacts the healthy workplace act; relates to abusive work environments; prohibits certain acts and providing certain remedies for violations.  
Status: 02/04/2009: To House Committee on Commerce and Labor.

## KENTUCKY

KY BR 176 Marzian (D)  
Title: Boards and Commissions  
Summary: (HB 37)Allows the Governor, when appointments to boards and commissions are made from lists submitted to him, to appoint a male or female so as to achieve as much gender equity as possible.  
Status: 01/06/2009: Assigned House Bill No. 37.

KY BR 284 Marzian (D)  
Title: Civil Rights  
Summary: Defines sexual orientation and gender identity; prohibits discrimination because of sexual orientation and gender identity; prohibits discrimination in various labor and employment practices, places of public accommodation and advertisements therefor, housing and real estate or other financial transactions, and certain credit transactions to include sexual orientation and gender identity.  
Status: 01/06/2009: Assigned House Bill No. 72.

KY H 300 Webb (D)  
Title: Human Rights  
Summary: Includes provisions allowing for mediation revises the timeline for the Human Rights Commission's processing of discrimination complaints, to allow for mediation of complaints, and to allow for the commission to recover fees expended in enforcing a conciliation agreement specify the role and availability of private counsel in commission related matters allows commission staff to conduct discrimination training allows the commission to recover fees.  
Status: 03/09/2009: To Senate Committee on State and Local Government.

KY H 455 Nelson (D)  
Title: Reckless Conduct  
Summary: Permits employee to sue employer for reckless conduct.  
Status: 02/24/2009: Posted in committee.

KY H 72 Marzian (D)  
Title: Civil Rights  
Summary: Defines sexual orientation and gender identity; prohibits discrimination because of sexual orientation and gender identity; prohibits discrimination in various labor and employment practices, places of public accommodation and advertisements therefor, housing and real estate or other financial transactions, and certain credit transactions to include sexual orientation and gender identity.  
Status: 01/07/2009: To House Committee on Judiciary.

KY S 122 Stivers (R)

Title: Courts  
Summary: Relates to prohibiting an employer from coercing an employee not to perform jury service; provides for gender equality.  
Status: 02/12/2009: To Senate Committee on Judiciary.

KY S 95 Stein (D)  
Title: Civil Rights  
Summary: Relates to civil rights; includes definitions for "sexual orientation" and "gender identity"; amend KRS 344.020, 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 the state and local human rights commissions, to include prohibition of discrimination on the basis of sexual orientation and gender identity in the scope of their powers and duties.  
Status: 02/11/2009: To Senate Committee on Judiciary.

## LOUISIANA

LA H 517 LeBas (D)  
Title: Health Care Providers  
Summary: Relates to conscience in health care protection; provides that any person has the right not to participate in, and no person shall be required to participate in any health care service that violates his conscience to the extent that patient access to health care is not compromised and that no person shall be held civilly or criminally liable, discriminated against, dismissed, demoted, or in any way prejudiced or damaged for declining to participate in any health care service that violates his conscience.  
Status: 07/07/2009: Act No. 372

LA H 705 Norton (D)  
Title: Equal Pay for Women  
Summary: Creates the Equal Pay for Women Act.  
Status: 05/21/2009: Amended on House floor. Failed to pass House.

LA S 280 Chaisson (D)  
Title: Ethics  
Summary: Allows a district attorney to employ an immediate family member as an assistant district attorney provided that the family member was continuously employed by the office of the district attorney for that judicial district for a period of at least nine months immediately prior to the district attorney taking the oath of office for his initial term as district attorney; provides that no law shall hinder, alter, or in any way affect normal promotional advancements for such assistant district attorney.  
Status: 07/09/2009: Became law without Governor's signature. Act No. 452

LA S 286 Dorsey (D)  
Title: Equal Pay for Women Act  
Summary: Enacts the Louisiana Equal Pay for Women Act.  
Status: 04/27/2009: Introduced. To Senate Committee on Labor and Industrial Relations.

## MAINE

ME H 664 LD: 962 Dill (D)  
Title: Family Caregivers  
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.  
Status: 06/13/2009: Died on adjournment.

ME LR 281 Bryant M (D)

Title: Credit Histories in Employment Decisions  
Summary: Prohibits the use of credit histories in employment decisions.  
Status: 01/26/2009: Filed.

ME LR 884 Innes (D)  
Title: Lactating Mothers and Workplace Discrimination  
Summary: Protects lactating mothers from workplace discrimination.  
Status: 01/26/2009: Filed.

ME S 221 LD: 606 Alford (D)  
Title: Employers Mutual Insurance Company  
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.  
Status: 04/16/2009: Signed by Governor. Public Law No. 32

ME S 33 LD: 84 Simpson (D)  
Title: Wage Inquiries  
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.  
Status: 04/16/2009: Signed by Governor. Public Law No. 29

## MARYLAND

MD H 13 Manno (D)  
Title: Workplace Religious Freedom Act  
Summary: Authorizes employees of certain employers to use certain leave for observance of religious beliefs under certain circumstances; establishes that an employer is not required to pay certain premium wages or benefits under certain circumstances; provides that an employee who uses leave under this Act must comply with the terms of a collective bargaining agreement or employment policy.  
Status: 03/17/2009: From House Committee on Economic Matters: Reported unfavorably.  
Withdrawn from further consideration.

MD H 288 Rosenberg (D)  
Title: Unlawful Employment Practices  
Summary: Clarifies that an unlawful employment practice with respect to discrimination in compensation occurs when a discriminatory decision or practice is adopted, when an individual becomes subject to the decision or practice, or when an individual is affected by the decision or practice; authorizes the recovery of back pay for up to 2 years preceding the filing of a complaint where the unlawful employment practice is similar or related to a specified other employment.  
Status: 04/14/2009: Signed by Governor. Chapter No. 57

MD H 393 Rosenberg (D)  
Title: Discrimination in Employment  
Summary: Alters the definition of disability applicable to provisions prohibiting discrimination in employment; prohibits an employer from failing or refusing to make reasonable accommodations for known disabilities of otherwise qualified employees; provides that an employer is not required to reasonably accommodate an employee's disability if the accommodation would cause undue hardship on the employer's business; prohibits an employer or labor union from retaliating..  
Status: 05/07/2009: Signed by Governor. Chapter No. 300

MD H 474 Pena-Melnyk (D)  
Title: Human Relations  
Summary: Prohibits discrimination based on gender identity with regard to public accommodations, housing, and employment; prohibits discrimination based on sexual orientation or gender identity in commercial leasing; provides that an employer is immune from liability for certain acts to verify gender identity; makes specified remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity.  
Status: 02/04/2009: Introduced. To House Committee on Health and Government Operations.

MD H 51 Busch (D)  
Title: Human Relations  
Summary: Adds a new title to the State Government Article of the Annotated Code related to human relations; provides for membership; revises, restates, and recodifies laws relating to the Commission on Human Relations; revises, restates, and recodifies laws relating to various forms of discrimination relating to labor, sexual orientation, commercial leasing of property, discrimination in employment, discrimination in housing, education and obstruction of compliance; provides for hearing examiners.  
Status: 04/14/2009: Signed by Governor. Chapter No. 120

MD H 53 Busch (D)  
Title: Human Relations  
Summary: Makes substantive modifications, clarifications, and corrections in provisions of law relating to human relations; repeals obsolete provisions of law relating to hearing examiners; prohibiting discrimination by certain licensed or regulated persons on the basis of age; relates to discrimination, commercial property leasing, employment advertisements, marital status, housing discrimination, disability, administrative law judges and commercial activity at airports.  
Status: 05/07/2009: Signed by Governor. Chapter No. 366

MD H 54 Busch (D)  
Title: Human Relations  
Summary: Modifies language in a provision of law relating to civil actions elected or filed by public employees for a discriminatory employment act; replaces the phrase discriminatory act with unlawful employment practice.  
Status: 05/07/2009: Signed by Governor. Chapter No. 367

MD H 708 Vaughn (D)  
Title: Recipients of State Incentives  
Summary: Requires specified units of State government to ensure that an entity that receives a specified State incentive or financial assistance has adopted and implemented a specified diversity initiative and embraces minority business enterprise participation in its activities; requires specified entities to submit an annual report to the Governor's Office of Minority Affairs.  
Status: 04/13/2009: Reassigned to Senate Committee on Budget and Taxation. To Senate Committee on Education, Health and Environmental Affairs.

MD S 368 Raskin (D)  
Title: Discriminatory Compensation  
Summary: Clarifies that an unlawful employment practice occurs, with respect to discrimination in compensation, when a discriminatory compensation decision or other practice is adopted, an individual becomes subject to such practice, or an individual is affected by the application of a discriminatory compensation practice; authorizes an individual to recover back pay for a specified number of years preceding the filing of a complaint.  
Status: 04/14/2009: Signed by Governor. Chapter No. 56

MD S 562 Garagiola (D)  
Title: Flexible Leave

Summary: Alters a specified provision so as to prohibit an employer from discharging, demoting, suspending, disciplining, or otherwise discriminating or threatening to take any such actions against an employee solely because an employee acts in a specified manner; establishes a specified purpose for provisions of the Flexible Leave Act; relates to an employee's use of leave with pay to care for an immediate family member who is ill.

Status: 05/19/2009: Signed by Governor. Chapter No. 560

MD S 566 Madaleno (D)

Title: Human Relations

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; provides specified immunity; requires State personnel actions to be made without regard to gender identity.

Status: 02/06/2009: Introduced. To Senate Committee on Judicial Proceedings.

MD S 670 Raskin (D)

Title: Discrimination in Employment

Summary: Alters the definition of disability applicable to provisions prohibiting discrimination in employment; prohibits an employer from failing or refusing to make reasonable accommodations for known disabilities of otherwise qualified employees; provides that an employer is not required to reasonably accommodate an employee's disability if the accommodation would cause undue hardship on the employer's business.

Status: 05/07/2009: Signed by Governor. Chapter No. 299

## MASSACHUSETTS

MA H 1551 Naughton (D)

Title: Discrimination of Veterans

Summary: Relates to discrimination of veterans. Docket: 3380

Status: 01/19/2009: Introduced. Filed as House Docket 3380. To Joint Committee on Judiciary.

MA H 1794 Brownsberger (D)

Title: Restrictive Employment Covenants

Summary: Prohibits restrictive employment covenants. Docket: 385

Status: 10/07/2009: In Joint Committee on Labor and Workforce Development: Heard. Eligible for Executive Session.

MA H 1795 Coakley-Rivera (D)

Title: Employment Discrimination

Summary: Defines employment discrimination. Docket: 2131

Status: 01/19/2009: Introduced. Filed as House Docket 2131. To Joint Committee on Labor and Workforce Development.

MA H 1811 Jones (R)

Title: Fairness in Workers Compensation Benefits

Summary: Relates to fairness in workers compensation benefits. Docket: 1598

Status: 09/30/2009: In Joint Committee on Labor and Workforce Development: Heard. Eligible for Executive Session.

MA H 1845 Rodrigues (D)

Title: Non Discrimination Training in the Workplace

Summary: Relates to non discrimination training in the workplace. Docket: 2644

Status: 01/19/2009: Introduced. Filed as House Docket 2644. To Joint Committee on Labor and Workforce Development.



MA H 1850 Rushing (D)  
Title: Discrimination on the Basis of Weight and Height  
Summary: Makes discrimination on the basis of weight and height unlawful. Docket: 1526  
Status: 01/19/2009: Introduced. Filed as House Docket 1526. To Joint Committee on Labor and Workforce Development.

MA H 1851 Sanchez (D)  
Title: Workplace Language Restrictions  
Summary: Opposes unnecessary language restrictions in the workplace. Docket: 1131  
Status: 01/19/2009: Introduced. Filed as House Docket 1131. To Joint Committee on Labor and Workforce Development.

MA H 1861 Story (D)  
Title: Bullying in the Workplace  
Summary: Relates to bullying in the workplace. Docket: 3874  
Status: 01/19/2009: Introduced. Filed as House Docket 3874. To Joint Committee on Labor and Workforce Development.

MA H 3578 Callahan (D)  
Title: Workplace Harassment  
Summary: Relates to workplace harassment.  
Status: 01/19/2009: Introduced. To Joint Committee on Labor and Workforce Development.

MA H 3934 Keenan J (D)  
Title: Disability Retirement  
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. Docket: 4242  
Status: 03/20/2009: Introduced. Filed as House Docket 4242. To Joint Committee on Public Service.

MA H 4008 Smola (R)  
Title: Public Official Harassment  
Summary: Prohibits harassment of public officials; includes a state or local government official who is elected to office. Docket: 4173  
Status: 07/14/2009: In Joint Committee on Judiciary: Heard. Eligible for Executive Session.

MA H 4107 Office of the Governor  
Title: Recidivism Reduction and Employee Opportunity  
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. Docket: 4307  
Status: 07/27/2009: In Joint Committee on Judiciary: Heard. Eligible for Executive Session.

MA HD 1131 Sanchez (D)  
Title: Workplace Language Restrictions  
Summary: Opposes unnecessary language restrictions in the workplace.  
Status: 01/19/2009: Assigned House Bill No. 1851.

MA HD 1473 Callahan (D)  
Title: Workplace Harassment

Summary: Relates to workplace harassment.  
Status: 01/07/2009: Filed.

MA HD 1526 Rushing (D)  
Title: Discrimination on the Basis of Weight and Height  
Summary: Makes discrimination on the basis of weight and height unlawful.  
Status: 01/19/2009: Assigned House Bill No. 1850.

MA HD 1598 Jones (R)  
Title: Fairness in Workers Compensation Benefits  
Summary: Relates to fairness in workers compensation benefits.  
Status: 01/19/2009: Assigned House Bill No. 1811.

MA HD 2131 Coakley-Rivera (D)  
Title: Employment Discrimination  
Summary: Defines employment discrimination.  
Status: 01/19/2009: Assigned House Bill No. 1795.

MA HD 2644 Rodrigues (D)  
Title: Non Discrimination Training in the Workplace  
Summary: Relates to non discrimination training in the workplace.  
Status: 01/19/2009: Assigned House Bill No. 1845.

MA HD 3380 Naughton (D)  
Title: Discrimination of Veterans  
Summary: Relates to discrimination of veterans.  
Status: 01/19/2009: Assigned House Bill No. 1551.

MA HD 385 Brownsberger (D)  
Title: Restrictive Employment Covenants  
Summary: Prohibits restrictive employment covenants.  
Status: 01/19/2009: Assigned House Bill No. 1794.

MA HD 3874 Story (D)  
Title: Bullying in the Workplace  
Summary: Relates to bullying in the workplace.  
Status: 01/19/2009: Assigned House Bill No. 1861.

MA S 1215 Tolman (D)  
Title: Fairness for Water Resource Authority Employees  
Summary: Provides for fairness and equity for Massachusetts Water Resource Authority employees. Docket: 893  
Status: 10/06/2009: In Joint Committee on Public Service: Heard. Eligible for Executive Session.

MA S 1760 Morrissey (D)  
Title: Anti-Discrimination Laws  
Summary: Modifies anti-discrimination laws. Docket: 518  
Status: 01/19/2009: Introduced. Filed as Senate Docket 518. To Joint Committee on Judiciary.

MA S 1810 Tarr (R)  
Title: Gender Equity  
Summary: Promotes gender equity. Docket: 703  
Status: 06/30/2009: In Joint Committee on Judiciary: Heard. Eligible for Executive Session.

MA S 1817 Tarr (R)  
Title: Fair Employment and Security

Summary: Promotes fair employment and security in the Commonwealth. Docket: 826  
 Status: 01/19/2009: Introduced. Filed as Senate Docket 826. To Joint Committee on Judiciary.

MA S 57 Montigny (D)  
 Title: Equal Benefits and New Mothers  
 Summary: Requires equal benefits for all new mothers. Docket: 370  
 Status: 01/19/2009: Introduced. Filed as Senate Docket 370. To Joint Committee on Children, Families and Persons With Disabilities.

MA S 691 Jehlen (D)  
 Title: Abusive Waiver Defense  
 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. Docket: 1311  
 Status: 01/19/2009: Introduced. Filed as Senate Docket 1311. To Joint Committee on Labor and Workforce Development.

MA S 699 Menard (D)  
 Title: Workplace Bullying Mobbing and Harassment  
 Summary: Addresses workplace bullying mobbing and harassment. Docket: 856  
 Status: 01/19/2009: Introduced. Filed as Senate Docket 856. To Joint Committee on Labor and Workforce Development.

MA S 716 Tarr (R)  
 Title: Fairness in Disability Adjudication  
 Summary: Ensures fairness in the disability adjudication process. Docket: 887  
 Status: 09/30/2009: In Joint Committee on Labor and Workforce Development: Heard. Eligible for Executive Session.

MA S 726 Tolman (D)  
 Title: Employee Protection Act  
 Summary: Relates to the Employee Protection Act; prohibits employee contracts that waive right to claim discrimination, harassment or wage violations. Docket: 651  
 Status: 01/19/2009: Introduced. Filed as Senate Docket 651. To Joint Committee on Labor and Workforce Development.

MA SD 370 Montigny (D)  
 Title: Equal Benefits and New Mothers  
 Summary: Requires equal benefits for all new mothers.  
 Status: 01/19/2009: Assigned Senate Bill No. 57.

MA SD 518 Morrissey (D)  
 Title: Anti-Discrimination Laws  
 Summary: Modifies anti-discrimination laws.  
 Status: 01/19/2009: Assigned Senate Bill No. 1760.

MA SD 651 Tolman (D)  
 Title: Employee Protection Act  
 Summary: Relates to the Employee Protection Act; prohibits employee contracts that waive right to claim discrimination, harassment or wage violations.  
 Status: 01/19/2009: Assigned Senate Bill No. 726.

MA SD 703 Tarr (R)  
 Title: Gender Equity

Summary: Promotes gender equity.  
Status: 01/19/2009: Assigned Senate Bill No. 1810.

MA SD 826 Tarr (R)  
Title: Fair Employment and Security  
Summary: Promotes fair employment and security in the Commonwealth.  
Status: 01/19/2009: Assigned Senate Bill No. 1817.

MA SD 856 Menard (D)  
Title: Workplace Bullying Mobbing and Harassment  
Summary: Addresses workplace bullying mobbing and harassment.  
Status: 01/19/2009: Assigned Senate Bill No. 699.

MA SD 887 Tarr (R)  
Title: Fairness in Disability Adjudication  
Summary: Ensures fairness in the disability adjudication process.  
Status: 01/19/2009: Assigned Senate Bill No. 716.

MA SD 893 Tolman (D)  
Title: Fairness for Water Resource Authority Employees  
Summary: Provides for fairness and equity for Massachusetts Water Resource Authority employees.  
Status: 01/19/2009: Assigned Senate Bill No. 1215.

## **MICHIGAN**

MI H 4528 Switalski J (D)  
Title: Credit History  
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.  
Status: 03/10/2009: Introduced. To House Committee on Labor.

MI H 4529 Gregory (D)  
Title: Employment Discrimination  
Summary: Prohibits employment discrimination based on physical attributes or fitness.  
Status: 03/10/2009: Introduced. To House Committee on Labor.

MI H 4530 Miller (D)  
Title: Employment Discrimination  
Summary: Provides a prohibition against employment decisions based on the health or illness of an employee's family member.  
Status: 03/10/2009: Introduced. To House Committee on Labor.

MI H 4851 Bauer (D)  
Title: Equal Pay for Equal Work  
Summary: Prohibits discrimination for failing to provide equal compensation for comparable work under certain circumstances.  
Status: 04/29/2009: Introduced. To House Committee on Labor.

MI H 5330 Opsommer (R)  
Title: Firearm Ownership

Summary: Prohibits employment discrimination based on firearm ownership and firearm-related questions during job interview process.  
Status: 09/10/2009: Introduced. To House Committee on Labor.

MI S 158 Anderson (D)  
Title: Fair Employment  
Summary: Prohibits employment decisions based on health or illness of an employee's family member.  
Status: 01/29/2009: Introduced. To Senate Committee on Commerce and Tourism.

## MINNESOTA

MN S 97 Murphy S (DFL)  
Title: Medical Use of Marijuana  
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.  
Status: 05/22/2009: Vetoed by Governor.

## MISSISSIPPI

MS H 926 Evans B (D)  
Title: DNA Testing  
Summary: Relates to DNA testing; prohibits the use of DNA test results for discriminatory purposes by employers or insurer.  
Status: 02/03/2009: Died in committee.

MS HR 12 Evans J (D)  
Title: Workers Bill of Rights  
Summary: Endorses adoption of the Workers Bill of Rights which would guaranty workers in the State the right to organize, a safe workplace, adequate facilities and the opportunity to utilize them, adequate equipment, the right to understand information provided, existing state and federal benefits and rights, the right to be free from discrimination, to continuing training including supervisor training, compensation for work performed and to seek state help.  
Status: 06/03/2009: Died in committee.

MS S 3089 Walls (D)  
Title: Mississippi Anti Discrimination In Employment Act  
Summary: Prohibits discrimination in the workplace on the basis of race, color, religion, sex, national origin, age or disability.  
Status: 02/03/2009: Died in committee.

## MISSOURI

MO H 144 Hughes (D)  
Title: Credit Score Discrimination  
Summary: Prohibits an employer from discriminating against an individual based on his or her credit score or credit history.  
Status: 05/15/2009: To House Special Committee on Workforce Development and Workplace Safety.

MO H 295 Chappelle-Nadal (D)  
Title: Public Works Contract  
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.

Status: 02/12/2009: To House Special Committee on Workforce Development and Workplace Safety.

MO H 55 Wildberger (D)  
Title: Work Environment  
Summary: Makes it an unlawful employment practice to subject an employee to an abusive work environment or to retaliate against an employee who opposes that type of environment.  
Status: 05/15/2009: To House Special Committee on Workforce Development and Workplace Safety.

MO H 582 Talboy (D)  
Title: Sexual Orientation Discrimination  
Summary: Prohibits discrimination based upon a person's sexual orientation.  
Status: 02/09/2009: Withdrawn from further consideration.

MO H 799 Jones Ti (R)  
Title: Unlawful Discriminatory Practices  
Summary: Modifies provisions relating to unlawful discriminatory practices in employment.  
Status: 04/07/2009: Hearing conducted. In House Committee on Rules: Voted do pass. From House Committee on Rules: Reported do pass.

MO S 109 Justus (D)  
Title: Sexual Orientation Discrimination  
Summary: Prohibits discrimination based upon a person's sexual orientation; provides that such discrimination includes housing, loan, real estate sales or rental, employment, and right to use public accommodations discrimination.  
Status: 02/25/2009: Hearing conducted.

MO S 232 Cunningham J (R)  
Title: Education Discrimination  
Summary: Prohibits municipal fire departments and police departments, state agencies, state departments, and political subdivisions public agencies and political subdivisions from discrimination based on an individual's elementary and secondary education program; provides that employers may require individuals to have other abilities or skills for their position.  
Status: 07/09/2009: Signed by Governor.

MO S 499 Cunningham J (R)  
Title: Public Higher Education Institutions  
Summary: Requires public higher education institutions to annually report on steps taken to ensure intellectual diversity.  
Status: 03/02/2009: To Senate Committee on Education.

## **MONTANA**

MT D 1398 Kottel (D)  
Title: Government Discrimination  
Summary: Prohibits government discrimination by institution in awarding internships.  
Status: 01/28/2009: Draft in edit. Draft to drafter - edit review. Draft in input/proofing. Filed.

MT D 2097 Office of Windy Boy  
Title: Address Bullying In Workplace  
Summary: Relates to address bullying in workplace.  
Status: 02/10/2009: Draft in Assembly/Executive Director review. Draft ready for delivery.

MT D 883 Office of Balyeat  
Title: Professional Board Discrimination

Summary: Relates to prohibiting Professional Board discrimination.  
Status: 02/02/2009: Assigned Senate Bill No. 335.

## NEBRASKA

NE LR 144 Carlson (NP)  
Title: Municipal Employees  
Summary: Examines the Commission of Industrial Relations and the statutory requirements for comparable wages and conditions of employment for municipal employees.  
Status: 05/21/2009: To Legislative Committee on Business and Labor.

## NEVADA

NV A 10 Assembly Health and Human Services Committee  
Title: Nurses and Physicians  
Summary: Prohibits retaliation or discrimination against nurses and nursing assistants who report information concerning physician conduct or sentinel events or who refuse to engage in certain conduct or participate in patient safety investigations or proceedings; provides civil remedies and penalties for violations; prohibits licensing boards from taking adverse action against a physician who discloses or cooperates in the investigation of a violation of any law, rule or regulation by an applicant or licensee.  
Status: 05/29/2009: Signed by Governor. Chaptered. Chapter No. 324

NV A 43 Assembly Government Affairs Committee  
Title: Discrimination  
Summary: Revises provisions prohibiting discrimination in employment, housing and public accommodations.  
Status: 02/02/2009: Introduced. To Assembly Committee on Commerce and Labor.

NV BDR 792 Aizley (D)  
Title: Gender Identity and Expression Discrimination  
Summary: Revisions provisions governing employment practices to prohibit discrimination based on gender identity and expression.  
Status: 02/17/2009: Assigned Assembly Bill No. 184.

## NEW HAMPSHIRE

NH H 381 Hopper (R)  
Title: State Agency Preferences  
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.  
Status: 03/26/2009: Failed to pass House.

NH H 59 Laliberte (D)  
Title: Service Dogs  
Summary: Requires employers of employees with service dogs to place signs prohibiting animals other than service dogs.  
Status: 02/12/2009: Failed to pass House.

## NEW JERSEY

NJ A 1551 Greenstein (D)  
Title: Healthy Workplace Act  
Summary: Establishes the Healthy Workplace Act; makes it an unlawful employment practice for an employer to subject an employee to abusive conduct or to permit an abusive work environment;

makes it an unlawful employment practice for an employer to retaliate in any manner against an employee because he has brought legal action, or because he has made a charge, testified, assisted or participated in any manner in an investigation or proceeding related to the abusive conduct or work environment.

Status: 01/08/2008: Introduced. To Assembly Committee on Labor.

NJ S 2041 Rice (D)  
Title: Nepotism Policies  
Summary: Requires Boards of Education to adopt nepotism policies.  
Status: 01/26/2009: From Senate Committee on Education as substituted.

NJ S 234 Adler (D)  
Title: Law Against Discrimination  
Summary: Amends the Law Against Discrimination; relates to discrimination because of familial status; regulates employers, labor organizations, employment agencies and independent contractors; relates to reasonable accommodations for pregnancy and disabilities, persons over the age of 70, filing of complaints and penalties for violations; prohibits any waiver of the right to trial by jury; prohibits English-only rules and forced retirement of higher education employees; provides for Attorney General guidelines.  
Status: 01/08/2008: Introduced. To Senate Committee on Judiciary.

NJ SCR 145 Kean S (R)  
Title: Police Department Maternity Policy  
Summary: Establishes commission to study police department maternity policies.  
Status: 05/07/2009: Introduced. To Senate Committee on Law and Public Safety and Veterans Affairs.

NJ SR 108 Codey (D)  
Title: National Football League Rooney Rule  
Summary: Urges National Collegiate Athletic Association to adopt for college football the National Football League Rooney Rule requiring teams with head coaching vacancy to interview minority candidates for the position.  
Status: 01/26/2009: Introduced. To Senate Committee on Education.

NJ SR 92 Weinberg (D)  
Title: Lilly Ledbetter Fair Pay Act  
Summary: Memorializes Congress to pass the Lilly Ledbetter Fair Pay Act.  
Status: 02/09/2009: Withdrawn from further consideration.

## NEW MEXICO

NM H 176 Chasey (D)  
Title: Employment of Women  
Summary: Repeals sections of law that relates to the employment of women.  
Status: 04/07/2009: Signed by Governor. Chaptered. Chapter No. 2009-160

NM H 494 Park (D)  
Title: Employee Retaliation  
Summary: Relates to human rights; prohibits adverse action against an employee for discussing salary or other pay.  
Status: 02/11/2009: From House Committee on Labor and Human Resources: Do pass.

NM S 444 Keller (D)  
Title: Higher Education  
Summary: Relates to higher education; prohibits discrimination in paid holidays and accrual of annual leave at public post-secondary educational institutions.



Status: 02/03/2009: Introduced. To Senate Committee on Education. To Senate Committee on Finance.

NM S 459 Harden (R)  
Title: Employment  
Summary: Relates to employment; amends the criminal offender employment act to restrict the inquiry and consideration of a conviction until the final stages of the hiring process.  
Status: 03/19/2009: From House Committee on Judiciary: Do pass.

## NEW YORK

NY A 1119 Destito (D)  
Title: Worker Compensation  
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.  
Status: 04/29/2009: Passed Assembly. To Senate. To Senate Committee on Civil Service and Pensions.

NY A 1473 Wright (D)  
Title: State Civil Service Commission  
Summary: Directs the president of the state civil service commission to publish reports annually relating to diversity within state government.  
Status: 01/07/2009: Introduced. To Assembly Committee on Governmental Employees.

NY A 1482 Wright (D)  
Title: Unjustly Dismissed Employee  
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.  
Status: 01/07/2009: Introduced. To Assembly Committee on Labor.

NY A 2067 Benjamin (D)  
Title: Job Applicant Personal Credit History  
Summary: Prohibits the use of job applicant's personal credit history as hiring criteria, unless a reasonable nexus exists.  
Status: 01/15/2009: Introduced. To Assembly Committee on Governmental Operations.

NY A 3408 Perry (D)  
Title: Monies Spent On Judgements and Settlement  
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.  
Status: 01/27/2009: Introduced. To Assembly Committee on Judiciary.

NY A 3911 John (D)  
Title: New York State Fair Pay Act  
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.  
Status: 04/29/2009: Passed Assembly. To Senate. To Senate Committee on Finance.

NY A 4371 Heastie (D)

Title: Day and Temporary Labor Services Act  
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.  
Status: 02/03/2009: Introduced. To Assembly Committee on Labor.

NY A 4494 Mayersohn (D)  
Title: Rent Stabilization Code Provisions  
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.  
Status: 02/04/2009: Introduced. To Assembly Committee on Housing.

NY A 4498 Brodsky (D)  
Title: MacBride Fair Employment Principles Adherence  
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.  
Status: 02/04/2009: Introduced. To Assembly Committee on Corporations, Authorities and Commissions.

NY A 5330 Aubry (D)  
Title: Unlawful Discriminatory Practice  
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.  
Status: 02/13/2009: Introduced. To Assembly Committee on Corrections.

NY A 574 Cahill (D)  
Title: Human Rights Law  
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.  
Status: 01/07/2009: Introduced. To Assembly Committee on Governmental Operations.

NY A 5761 Pretlow (D)  
Title: Discrimination in Promotion of Police Officers  
Summary: Prohibits discrimination in the promotion of police officers who fail to meet their employer's traffic ticket quota.  
Status: 02/19/2009: Introduced. To Assembly Committee on Labor.

NY A 609 Dinowitz (D)  
Title: Jury Service  
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.  
Status: 04/27/2009: Passed Assembly. To Senate. To Senate Committee on Judiciary.

NY A 6285 Hikind (D)  
Title: Unlawful Discriminatory Practice for Work Uniform

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.  
Status: 02/27/2009: Introduced. To Assembly Committee on Governmental Operations.

NY A 6333 Barra (R)  
Title: Discrimination Based on Family Responsibilities  
Summary: Prohibits discrimination in employment, education, or public accommodation based on the legal responsibility to care for a child.  
Status: 03/02/2009: Introduced. To Assembly Committee on Governmental Operations.

NY A 635 Dinowitz (D)  
Title: Human Right Law Discriminatory Practices  
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.  
Status: 01/07/2009: Introduced. To Assembly Committee on Governmental Operations.

NY A 6539 Ortiz (D)  
Title: Unfair Labor and Housing Practices Against Veterans  
Summary: Eliminates unfair labor and housing practices against persons with veteran status by expanding the jurisdiction of the human rights commission.  
Status: 04/27/2009: Amended in Assembly Committee on Veterans Affairs.

NY A 755 Paulin (D)  
Title: Domestic Violence Status  
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.  
Status: 07/07/2009: Signed by Governor. Chapter No. 80

NY A 8012 Jeffries (D)  
Title: Public Employee Discrimination  
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.  
Status: 06/11/2009: To Senate Committee on Rules.

NY A 8065 Aubry (D)  
Title: Definition of Direct Relationship  
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.  
Status: 06/22/2009: Passed Assembly. To Senate. To Senate Committee on Rules.

NY A 8184 Dinowitz (D)  
Title: Fees in Employment Discrimination Cases  
Summary: Awards attorney fees and expert witness fees in employment discrimination cases.  
Status: 06/02/2009: Passed Assembly. To Senate. To Senate Committee on Investigations and Government Operations.

NY A 8293 Carrozza (D)  
Title: Compliance With the Federal Equal Pay Act of 1963

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.  
Status: 05/13/2009: Introduced. To Assembly Committee on Governmental Employees.

NY A 8435 Rosenthal (D)  
Title: Private Right of Action for Nail Specialists  
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.  
Status: 05/20/2009: Introduced. To Assembly Committee on Judiciary.

NY A 8990 Skartados (D)  
Title: Volunteer Firefighter Job Protection  
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.  
Status: 06/17/2009: Introduced. To Assembly Committee on Labor.

NY A 9018 John (D)  
Title: Victim of Domestic Violence  
Summary: Defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.  
Status: 06/22/2009: From Assembly Committee on Governmental Operations to Assembly Committee on Codes. From Assembly Committee on Codes to Assembly Committee on Rules. From Assembly Committee on Rules. Passed Assembly. To Senate Committee on Rules.

NY S 1166 Johnson C (D)  
Title: Hiring Discrimination Against Stalking Victims  
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.  
Status: 02/10/2009: Enacting clause stricken.

NY S 1823 Morahan (R)  
Title: Civil Cause of Action for Employees at Abusive Work  
Summary: Establishes a civil cause of action for employees who are subjected to an abusive work environment.  
Status: 07/16/2009: To Senate Committee on Rules.

NY S 1922 Morahan (R)  
Title: Discrimination on Basis of Disability  
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.  
Status: 02/09/2009: Introduced. To Senate Committee on Investigations and Government Operations.

NY S 2044 DeFrancisco (R)  
Title: Award of Reasonable Attorney Fees  
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.  
Status: 02/11/2009: Introduced. To Senate Committee on Investigations and Government Operations.

NY S 2271 LaValle (R)  
Title: Provisions of Law Relating to Service Awards  
Summary: Brings certain provisions of law relating to service award programs into compliance with the age discrimination in employment act of 1967.  
Status: 02/17/2009: Introduced. To Senate Committee on Local Government.

NY S 2833 Krueger (D)  
Title: Disability Act Violations  
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.  
Status: 03/04/2009: Introduced. To Senate Committee on Codes.

NY S 2956 Adams (D)  
Title: Quota Prohibition  
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.  
Status: 03/06/2009: Introduced. To Senate Committee on Labor.

NY S 306 f Senate Rules Committee  
Title: Domestic Violence Victims  
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.  
Status: 06/27/2009: Introduced. To Senate Committee on Rules.

NY S 308 f Senate Rules Committee  
Title: Victim of Domestic Violence  
Summary: Defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.  
Status: 06/27/2009: Introduced. To Senate Committee on Rules.

NY S 3884 Johnson C (D)  
Title: Employment Discrimination Cases  
Summary: Awards attorney fees and expert witness fees in employment discrimination cases.  
Status: 04/02/2009: Introduced. To Senate Committee on Investigations and Government Operations.

NY S 4368 Hassell-Thompso (D)  
Title: Unlawful Discriminatory Practice  
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.  
Status: 07/16/2009: To Senate Committee on Rules.

NY S 449 Kruger (D)  
Title: Unlawful Discriminatory Practice  
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.  
Status: 07/16/2009: To Senate Committee on Rules.

NY S 4898 Aubertine (D)  
Title: Abortion  
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.  
Status: 04/27/2009: Introduced. To Senate Committee on Codes.

NY S 5002 Duane (D)  
Title: Hospitals  
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.  
Status: 04/27/2009: Introduced. To Senate Committee on Health.

NY S 5271 Montgomery (D)  
Title: Federal Equal Pay Act of 1963  
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.  
Status: 05/19/2009: From Senate Committee on Civil Service and Pensions. To Senate Committee on Finance.

NY S 5480 Savino (D)  
Title: Required Gender Salary Equality  
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.  
Status: 05/19/2009: From Senate Committee on Civil Service and Pensions. To Senate Committee on Finance.

NY S 5533 Savino (D)  
Title: Federal Older Workers Benefit Protection Act  
Summary: Provides for compliance by the NYS&LERS and NYS&LP&FRS with the requirements of the federal older workers' benefit protection act; provides that provisions relating to disability benefits, ordinary death benefits and post-retirement death benefits would be modified to be consistent with benefits currently paid by other retirement systems as required by OWBPA.  
Status: 07/16/2009: To Senate Committee on Rules.

NY S 6000 Hassell-Thompso (D)  
Title: Victim of Domestic Violence

Summary: Defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.  
Status: 06/19/2009: Introduced. To Senate Committee on Rules.

NY S 937 Robach (R)  
Title: Prohibiting Discrimination Against Stalkers  
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.  
Status: 02/03/2009: Amended in Senate Committee on Investigations and Government Operations.

## **NORTH CAROLINA**

NC H 1049 Luebke (D)  
Title: Nondiscrimination and Teacher Employment  
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.  
Status: 04/06/2009: Introduced. To House Committee on Education.

## **NORTH DAKOTA**

ND H 1181 DeKrey (R)  
Title: Volunteer Emergency Responder Protection  
Summary: Relates to job protections for volunteer emergency responders of the Adjutant General's office as members of the State Army, the Air National Guard or the civil air patrol; prohibits hiring discrimination because the individual is a volunteer; provides the volunteer may bring a civil action against an employer for a violation thereof; an employer may not discriminate against the employee for any absence due to serving as a volunteer emergency responder during a disaster or emergency.  
Status: 08/18/2009: Chapter Number 313

ND S 2143 Senate Political Subdivisions Committee  
Title: Administrative Adjudication Practices  
Summary: Relates to the administrative adjudication of public employment discriminatory practices; requires the completion of all collective bargaining agreement, employment contract, or public employee rights processes prior to commencing an action for discriminatory acts.  
Status: 08/18/2009: Chapter Number 145

ND S 2185 Fiebiger (D)  
Title: Labor Discrimination Complaints  
Summary: Concerns requirements of the Labor Department regarding discriminatory complaints.  
Status: 03/19/2009: Failed to pass House.

ND S 2278 Fiebiger (D)  
Title: Discrimination  
Summary: Prohibits discrimination on the basis of sexual orientation with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.  
Status: 04/03/2009: Failed to pass House.

## **OHIO**

OH H 167 Murray (D)  
Title: Employer Or Landlord Discrimination

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.  
Status: 10/08/2009: From House Committee on Housing and Urban Revitalization: Recommended as substituted. In House. To third reading.

OH H 176 Stewart D (D)  
Title: Sexual Orientation Or Gender Discrimination  
Summary: Prohibits discrimination on the basis of sexual orientation or gender identity and expression.  
Status: 09/22/2009: From Senate Committee on Reference: Recommended referral. To Senate Committee on Rules.

OH H 320 Martin (R)  
Title: Private Sector Employers Time Off Option  
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.  
Status: 10/27/2009: From House Committee on Rules and Reference: Recommended referral. To House Committee on Commerce and Labor.

OH H 340 Yates (D)  
Title: Credit History Employment Discrimination  
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.  
Status: 11/12/2009: From House Committee on Rules and Reference: Recommended referral. To House Committee on Civil and Commercial Law.

OH H 360 Snitchler (R)  
Title: Income Tax Credit  
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.  
Status: 11/17/2009: From House Committee on Rules and Reference: Recommended referral. To House Committee on Ways and Means.

OH S 195 Patton (R)  
Title: Employer Employee Uniform Standard  
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.  
Status: 10/28/2009: From Senate Committee on Reference: Recommended referral. To Senate Committee on Insurance, Commerce and Labor.

OH S 91 Miller R (D)  
Title: Credit History Discrimination  
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.  
Status: 04/21/2009: From Senate Committee on Reference: Recommended referral. To Senate Committee on Judiciary and Civil Justice.

**OKLAHOMA**



OK H 1902 Duncan (R)  
Title: State Government  
Summary: Relates to state government; relates to the Oklahoma Personnel Act; abolishes the Affirmative Action Review Council; provides an effective date; declares an emergency.  
Status: 02/03/2009: To House Committee on Rules.

OK H 2103 McPeak (D)  
Title: Officers  
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.  
Status: 02/02/2009: Introduced.

OK S 1232 Sykes (R)  
Title: Discrimination In Employment  
Summary: Relates to discrimination in employment; relates to Status Verification System; updates statutory references; provides an effective date.  
Status: 02/09/2009: To Senate Committee on Rules.

OK S 1233 Sykes (R)  
Title: Discrimination  
Summary: Relates to discrimination.  
Status: 02/09/2009: To Senate Committee on Rules.

## OREGON

OR H 2503 Buckley (D)  
Title: Medical Marijuana In The Workplace  
Summary: Prohibits discrimination in employment under certain circumstances if discrimination is based on person's status as medical marijuana registry cardholder or use of medical marijuana off property or premises of employment or during hours that are not hours of employment; makes such discrimination unlawful employment practice; allows employers to discipline employees who use medical marijuana on property or premises or during hours of employment.  
Status: 02/04/2009: To House Committee on Business and Labor.

OR H 2744 Esquivel (R)  
Title: Employee Leave for Family Members of Military Service  
Summary: Requires certain employers to provide leave to employees who are spouses of members of military forces that are called to active duty during periods of military conflict; makes a failure to grant leave or discrimination against a spouse exercising the right to military family leave an unlawful practice; provides for enforcement of the requirement by the Bureau of Labor and Industries.  
Status: 07/17/2009: Chaptered. Chapter No. 559

OR H 2748 Esquivel (R)  
Title: Employment of Public Employees Who Do Not Speak Spanish  
Summary: Prohibits public employer from laying off or terminating employee who does not speak Spanish.  
Status: 02/25/2009: To House Committee on Business and Labor.

OR H 2856 House Judiciary Committee  
Title: Products of Individuals with Disabilities  
Summary: Defines individual with a disability for products of individuals with disabilities as individual who receives Social Security disability benefits or Social Security income; provides that qualified nonprofit agency for individuals with disabilities must employ individuals with disabilities during July 1 to June 30 fiscal year for not less than 75 percent of work hours of direct labor required in each contract for manufacture or provision of products or services.  
Status: 03/03/2009: To House Committee on Business and Labor.

OR H 2890      Schaufler (D)  
Title:            Classification of Employees  
Summary:        Establishes meaning of 'employee' for purposes of classification of workers; establishes crime of misclassification of employee; imposes civil penalties and criminal sanctions for certain violations; authorizes debarment of and imposition of stop-work orders against certain violators; prohibits discrimination against individual exercising rights established by Act; declares emergency, effective on passage.  
Status: 03/09/2009: To House Committee on Business and Labor.

OR H 3142      Kahl (D)  
Title:            Diversity in Public Contracting  
Summary:        Directs Department of Transportation to establish Contractor and Workforce Diversity Pilot Program to aid in increasing diversity among contractors to which department awards public improvement contracts and among subcontractors and workers employed in connection with public improvement contracts; sunsets pilot program on January 2, 2016.  
Status: 03/16/2009: To House Committee on Business and Labor.

OR H 3162      Stiegler (D)  
Title:            Employment Discrimination Resulting From Whistleblowing  
Summary:        Provides that it is an unlawful employment practice to discharge, demote, suspend or in any manner discriminate or retaliate against an employee who reports a violation of state or federal laws, rules or regulations; specifies procedures by which an aggrieved employee may file an action against an employer.  
Status: 06/24/2009: Signed by Governor. Chaptered. Chapter No. 524

OR H 3256      Matthews (D)  
Title:            Unlawful Employment Practices  
Summary:        Prohibits an employer from discriminating against a person because of the person's service in the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard or military reserve forces; prohibits the denial of initial employment, reemployment following a leave from employment taken by reason of service, retention in employment, promotion, or any other term, condition or privilege of employment, including but not limited to compensation.  
Status: 06/18/2009: Signed by Governor. Chaptered. Chapter No. 378

OR S 382        Morrisette (D)  
Title:            Log Hauler Compensation  
Summary:        Creates process for forestland owners or cooperative associations of log haulers to petition State Forester to determine rate of compensation for log haulers; requires forester to determine rate of compensation for log haulers; prohibits forestland owners from paying rate of compensation lower than rate of compensation determined by forester and from discriminating against person or cooperative association for participating in determination process.  
Status: 02/05/2009: To Senate Committee on Commerce and Work Force Development.

OR S 519        Rosenbaum (D)  
Title:            Mandatory Workplace Communications  
Summary:        Prohibits an employer from taking adverse employment action against an employee who declines to attend a meeting or participate in a communication concerning the employer's opinion about religious or political matters; requires an employer to post a related notice; provides exceptions for religious organizations, political organizations and certain meetings and communications; creates a cause of action.  
Status: 07/17/2009: Chaptered. Chapter No. 658

OR S 57         Courtney (D)  
Title:            Unlawful Employment Practices

Summary: Provides that employer commits unlawful employment practice if employer discriminates against employee or job applicant based on fact that member of employee's or applicant's family works or worked for employer, even though employer has mixed motives for discrimination.  
Status: 01/19/2009: To Senate Committee on Judiciary.

OR S 786 Nelson (R)  
Title: Unlawful Religious Discrimination  
Summary: Requires an employer to provide reasonable accommodation to religious practices of employee unless providing accommodation would impose undue hardship; requires an employer to permit employee to use leave as accommodation to religious practices; prohibits an occupational requirement that restricts ability of employee to wear religious clothing, to take time off for a holy day or to participate in religious observance or practice; provides that schools may prohibit teachers from wearing religious dress.  
Status: 08/20/2009: Chaptered. Chapter No. 744

OR S 805 Bates (D)  
Title: Employee Leave  
Summary: Requires employer to provide leave to certain employees who are spouses of members of military forces that are on active duty during periods of military conflict; makes failure to grant leave or discrimination against spouse exercising right to military family leave unlawful practice; requires Bureau of Labor and Industries to enforce provisions of Act; declares emergency, effective on passage.  
Status: 03/12/2009: To Senate Committee on Commerce and Work Force Development.

OR S 874 Bonamici (D)  
Title: Individuals With Disabilities  
Summary: Relates to unlawful discrimination in employment, public accommodations, and real property transactions; updates and clarifies provisions related to individuals with disabilities; revises definitions; makes technical corrections; provides that an employer is not required to make certain accommodations; specifies that the determination of whether an individual has a disability shall be construed in favor of broad coverage under specified provisions and to the maximum extent permitted by such provisions.  
Status: 07/17/2009: Chaptered. Chapter No. 508

OR S 893 Senate Commerce and Workforce Development Committee  
Title: Medical Marijuana in the Workplace  
Summary: Prohibits discrimination in employment under certain circumstances if discrimination is based on person's status as medical marijuana registry cardholder or use of medical marijuana off property or premises of employment or during hours that are not hours of employment; makes such discrimination unlawful employment practice; allows employers to discipline employees who use medical marijuana on property or premises or during hours of employment.  
Status: 03/16/2009: To Senate Committee on Commerce and Work Force Development.

OR S 928 Devlin (D)  
Title: Unlawful Employment Practices Involving Crime Victims  
Summary: Prohibits an employer from refusing to hire, discharging, demoting, suspending or in any manner discriminating or retaliating against an employee who is a victim of domestic violence, sexual assault or stalking; requires an employer to make a reasonable safety accommodation requested by an employee who is a victim of such crimes; defines reasonable accommodation to include a transfer, reassignment, or unpaid leave; specifies the procedure for an aggrieved employee to file an action against an employer.  
Status: 07/17/2009: Chaptered. Chapter No. 478

## PENNSYLVANIA

PA H 1290 McGeehan (D)

Title: Unlawful Discriminatory Practices  
 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. PN: 1528  
 Status: 04/20/2009: Introduced. To House Committee on State Government.

PA H 1502 Galloway (D)  
 Title: Social Security Numbers Verification  
 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 for a period of up to 3 years, 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. PN: 1961  
 Status: 06/11/2009: In House Committee on Labor Relations: Public Hearing held.

PA H 1503 Galloway (D)  
 Title: Social Security Numbers Verification  
 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 of this section. Establishes good faith immunity. PN: 1962  
 Status: 06/11/2009: In House Committee on Labor Relations: Public Hearing held.

PA H 164 Solobay (D)  
 Title: Breastfeeding  
 Summary: Amends the Pennsylvania Human Relations Act of 1955. Defines breastfeeding. Further provides for unlawful discriminatory practices. Provides for breastfeeding by employees. PN: 160  
 Status: 02/11/2009: From House Committee on Children and Youth. In House. Read first time. In House. Laid on table. In House. Removed from table. To House Committee on Appropriations.

PA H 1885 Kotik (D)  
 Title: Restrictive Covenants Physician Employment Agreements  
 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. PN: 2505  
 Status: 07/24/2009: Introduced. To House Committee on Judiciary.

PA H 1906 Cohen (D)  
 Title: Genetic Discrimination  
 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. PN: 2551  
 Status: 08/06/2009: Introduced. To House Committee on State Government.

PA H 1983 Marsico (R)  
 Title: Employer Discrimination  
 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. PN: 2664  
Status: 09/14/2009: Filed. Introduced. To House Committee on State Government.

PA H 300 Frankel (D)  
Title: Unlawful Discriminatory Practices  
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. PN: 808  
Status: 03/11/2009: From House Committee on State Government. Reported as amended. In House. Read first time. In House. Laid on table. In House. Removed from table. To House Committee on Appropriations.

PA H 780 Creighton (R)  
Title: Citizenship and Immigration Status  
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. PN: 869  
Status: 03/06/2009: Introduced. To House Committee on Judiciary.

PA H 828 Readshaw (D)  
Title: Human Relations Act  
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. PN: 935  
Status: 03/10/2009: Introduced. To House Committee on State Government.

PA H 881 Cohen (D)  
Title: Employee Religious and Political Requirements  
Summary: Prohibits an employer from requiring an employee to attend a meeting to communicate opinions on religious and political matters.  
Status: 03/11/2009: Filed. Introduced. To House Committee on Labor Relations.

PA H 985 Kessler (D)  
Title: Department of Banking Code  
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. PN: 2057  
Status: 06/29/2009: Signed by Governor. Act No. 2009-7

PA HR 44 Watson (R)  
Title: Workplace Pay Disparity  
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. PN: 235  
Status: 02/04/2009: Introduced. To House Committee on Labor Relations.

PA S 280 Orié (R)  
Title: Human Relations Act  
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. PN: 607  
Status: 03/06/2009: Introduced. To Senate Committee on Labor and Industry.

PA S 420 Williams A (D)  
Title: Unlawful Discriminatory Practices  
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. PN: 421  
Status: 02/20/2009: Introduced. To Senate Committee on Labor and Industry.

## PUERTO RICO

PR H 1079 Mendez Nunez (PNP)  
Title: Law on Protection of Working Mothers  
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.  
Status: 02/09/2009: Introduced.

PR H 1490 Torres Cruz (PPD)  
Title: Discrimination or Harassment Provisions  
Summary: Amends the Workers Compensation System Act; prohibits an employer from discrimination or harassment of an employee who files a lawsuit that 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.  
Status: 04/17/2009: Introduced.

PR H 171 Rivera Ramirez (PNP)  
Title: Employee Gender Discrimination Damages  
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.  
Status: 01/19/2009: Introduced.

PR H 1725 Fernandez Rodri (PNP)  
Title: Government Agency Sexual Orientation Policy  
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.  
Status: 11/11/2009: Passed House. To Senate.

PR H 193 Rivera Ramirez (PNP)  
Title: Equal Opportunities  
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.  
Status: 01/02/2009: Introduced.

PR H 1991 Aponte Hernande (PNP)  
Title: Equal Opportunity for Employment

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.  
Status: 09/08/2009: Introduced.

PR H 684 Hernandez Lopez (PPD)  
Title: Employment Equal Opportunity  
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.  
Status: 01/13/2009: Introduced.

PR HR 388 Mendez Silva (PPD)  
Title: Breastfeeding and Breast Milk Law Implementation  
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.  
Status: 02/19/2009: Introduced.

PR HR 847 Rivera Ramirez (PNP)  
Title: Alleged Sex Discrimination Study  
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.  
Status: 11/05/2009: Passed House.

PR HR 939 Perello Borrás (PPD)  
Title: Terminated Public Employees  
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.  
Status: 10/09/2009: Introduced.

PR S 102 Martínez Maldon (PNP)  
Title: Employee Discrimination rights  
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.  
Status: 11/09/2009: Passed Senate. To House.

PR S 1154 Rivera Schatz (PNP)  
Title: Continuous Training Act  
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.  
Status: 11/05/2009: Passed Senate. To House.

PR S 696 Dalmau Santiago (PPD)  
Title: Sexual Harassment Act Amendment

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.  
Status: 05/04/2009: Introduced.

PR SCR 4 Burgos Andujar (PNP)  
Title: Joint Legislative Commission on Civil Rights Violation  
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.  
Status: 01/30/2009: Introduced.

## **RHODE ISLAND**

RI H 5380 Gablinske (D)  
Title: Labor and Labor Relations  
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.  
Status: 03/10/2009: Scheduled for hearing and/or consideration. In House Committee on Labor. Committee Recommends Measure held for further study.

RI H 5384 Segal (D)  
Title: Labor and Labor Relations  
Summary: Prohibits inquiries into a person's immigration status concerning the enforcement of state labor, employment, civil rights and employee housing laws.  
Status: 03/10/2009: Scheduled for hearing and/or consideration. In House Committee on Labor. Committee Recommends Measure held for further study.

RI S 156 Metts (D)  
Title: Labor and Labor Relations  
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.  
Status: 03/25/2009: Scheduled for hearing and/or consideration. In Senate Committee on Labor: Committee recommends measure to be held for further study.

RI S 157 Levesque (D)  
Title: Labor and Labor Relations  
Summary: Relates to employment; restricts inquiries into an individual's immigration status in this state to those necessary to comply with federal immigration law.  
Status: 04/07/2009: Transferred to Senate Committee on Judiciary.

RI S 783 McCaffrey (D)  
Title: Criminal Offenses  
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.  
Status: 07/09/2009: Signed by Governor. Public Law No. 2009-96

## **SOUTH CAROLINA**

SC H 3222 Bedingfield (R)  
Title: Memorial to State Congressional Delegation



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.  
Status: 05/12/2009: From Senate Committee on Labor, Commerce and Industry: Majority reported favorably, minority unfavorable.

SC S 73 Ford (D)  
Title: Discrimination Definitions  
Summary: Prohibits employment discrimination because of sexual orientation or gender identity; defines sexual orientation and gender identity.  
Status: 01/13/2009: Introduced. To Senate Committee on Judiciary.

SC S 76 Ford (D)  
Title: Health Care Facility Visitor Protocols  
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.  
Status: 01/13/2009: Introduced. To Senate Committee on Judiciary.

## TENNESSEE

TN H 2368 Odom (D)  
Title: Employees Employers  
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.  
Status: 03/10/2009: In House Committee on Consumer and Employee Affairs: Referred to Subcommittee on Employee Affairs.

TN H 480 Hill (R)  
Title: English Only Policy  
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.  
Status: 05/05/2009: From House Committee on Consumer and Employee Affairs: Failed to recommend passage.

TN S 1283 Bunch (R)  
Title: Religion and Religious Organizations  
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.  
Status: 06/16/2009: In Senate. Amendment No. 1 withdrawn from Senate floor. In Senate. Substituted on Senate floor by H 1598.

TN S 2222 Marrero (D)  
Title: Employees Employers  
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.  
Status: 03/02/2009: To Senate Committee on Commerce, Labor and Agriculture.

TN S 469 Johnson J (R)

Title: Employees Employers  
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.  
Status: 04/02/2009: In House. Read second time. Held on desk.

TN S 825 Marrero (D)  
Title: Sex Discrimination  
Summary: Relates to sex discrimination; enacts Pay Equity in the Workplace Act of 2009.  
Status: 02/18/2009: To Senate Committee on Commerce, Labor and Agriculture.

## TEXAS

TX H 1495 King T (D)  
Title: Public School Harassment  
Summary: Relates to the inclusion of public school employees in the group of persons protected from harassment in the public schools.  
Status: 03/02/2009: To House Committee on Public Education.

TX H 202 Dukes (D)  
Title: Public School Educator Benefits  
Summary: Establishes that it is a violation of the educator's code of ethics for a principal, supervisor, or administrator to deny an educator certain guaranteed benefits including planning and preparation time, a duty-free lunch and personal leave; prohibits a principal, supervisor, or administrator from retaliating against an educator for asserting the educator's right to a benefit.  
Status: 02/17/2009: To House Committee on Public Education.

TX H 32 Leibowitz (D)  
Title: Prohibits Employee Discrimination  
Summary: Relates to prohibiting discrimination against certain employees who sustain an injury in the course and scope of employment.  
Status: 02/12/2009: To House Committee on Business and Industry.

TX H 3818 Smithee (R)  
Title: Water Supply Districts and Corporations  
Summary: Relates to the repeal of the power of certain districts and water supply corporations to allow the use of right-of-way easements for certain energy-related purposes.  
Status: 05/05/2009: In House Tabled.

TX H 3890 Vaught (D)  
Title: State Military Forces  
Summary: Relates to protecting certain rights of members of the state military forces.  
Status: 05/05/2009: Committee report printed and distributed.

TX H 538 Villarreal (D)  
Title: Employment Discrimination  
Summary: Relates to the prohibition of employment discrimination on the basis of sexual orientation or gender identity or expression.  
Status: 02/18/2009: To House Committee on State Affairs.

TX H 978 Burnam (D)  
Title: Disabled Employee Rights  
Summary: Provides that an employer may not use a qualification standard, test, or other selection criterion based on an individual's uncorrected vision unless it is consistent with business necessity and job-related for the position; provides that an employer is not obligated to make an accommodation to a known physical or mental limitation of an otherwise qualified individual if the individual's

disability is based solely on being regarded as having an impairment that substantially limits a major life activity.  
Status: 07/09/2009: Filed with Secretary of State. Chapter No. 337

TX S 1731 West (D)  
Title: Workforce Diversity Plan Development  
Summary: Relates to the development and implementation of a workforce diversity plan by certain state agencies.  
Status: 03/20/2009: To Senate Committee on State Affairs.

TX S 986 Davis W (D)  
Title: Compensation Discrimination  
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.  
Status: 03/09/2009: To Senate Committee on Business and Commerce.

## UTAH

UT H 267 Johnson C (D)  
Title: Antidiscrimination Amendments  
Summary: Defines "sexual orientation" and "gender identity"; prohibits discrimination in housing and employment related to sexual orientation and gender identity; prohibits restrictive covenants being recorded related to sexual orientation and gender identity; addresses advertisements; prohibits quotas and preferences in employment on the basis of sexual orientation or gender identity; and makes technical and conforming amendments.  
Status: 03/12/2009: Enacting clause struck.

## VERMONT

VT S 87 Cummings (D)  
Title: Bully Protection  
Summary: Protects employees from bullying or being a victim of abusive treatment in the workplace.  
Status: 02/13/2009: To Senate Committee on Economic Development, Housing and General Affairs.

## VIRGINIA

VA H 1799 Loupassi (R)  
Title: Fraud and Abuse Whistle Blower Protection Act  
Summary: Establishes the Fraud and Abuse Whistle Blower Protection Act to protect public employee whistle blowers from certain adverse employment actions; prohibits employers from discharging or retaliating against a whistle blower; provides a civil cause of action for the whistle blower; establishes the Fraud and Abuse Whistle Blower Reward Fund to provide a monetary reward to any person who has disclosed information of wrongdoing or abuse.  
Status: 03/27/2009: Signed by Governor. Acts of Assembly. Chapter No. 340.

VA H 1960 Mathieson (D)  
Title: Line Of Duty Act  
Summary: Prohibits the entity employing a disabled employee or qualified beneficiary of a deceased employee from terminating membership in any health care plan in place for such employee or beneficiary or refusing to reenroll or otherwise continue health care coverage for such employee or beneficiary upon notification by the Office of the Comptroller that the requirements for continued health care coverage under the Line of Duty Act have been satisfied.  
Status: 02/10/2009: Left in committee.

VA H 2385 Ebbin (D)  
Title: Public Employment Nondiscrimination

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 special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Act of 1974, as amended.  
Status: 02/10/2009: Left in committee.

## WEST VIRGINIA

WV H 2925 Webster (D)  
Title: Age and Sexual Orientation Discrimination  
Summary: Prohibits discrimination based upon age and sexual orientation.  
Status: 03/03/2009: Introduced. To House Committee on Judiciary.

WV HCR 108 Fleischauer (D)  
Title: Gender Balance and Minority Representation  
Summary: Requests the Joint Committee on Government and Finance study the requirement that all state boards, commissions, committees or councils to be gender balanced and to have proportionate representation of minorities in the state.  
Status: 04/11/2009: Passed House. To Senate.

WV HR 26 Andes (R)  
Title: Private Ballot Union Election  
Summary: Expresses the will of the House of Delegates requesting that West Virginia's Congressional delegation oppose legislation that disenfranchises workers by removing their right to a private ballot union election.  
Status: 03/11/2009: Introduced. To House Committee on Rules.

## WISCONSIN

WI A 132 Huebsch (R)  
Title: Unpaid Leave for Civil Air Patrol Duties  
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.  
Status: 10/28/2009: Signed by Governor. Act No. 56

WI A 31 Sinicki (D)  
Title: Discrimination in Employment Consequences  
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.  
Status: 04/28/2009: In Assembly. Assembly Amendment No. 2-6 to Assembly Substitute Amendment No. 1 offered. Laid on the table.

WI A 36 Mason (D)  
Title: Violations of Medical Leave Acts  
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.  
Status: 02/12/2009: Introduced. To Assembly Committee on State Affairs and Homeland Security.

WI A 367 Hixson (D)  
Title: Employment Discrimination Based on Credit History

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.  
Status: 10/21/2009: In Assembly. Amendment No. 1 offered.

WI S 20 Hansen (D)

Title: Discrimination in Employment

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.  
Status: 06/08/2009: Signed by Governor. Act No. 20

WI S 275 Taylor (D)

Title: Employment Discrimination Based on Credit History

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.  
Status: 08/26/2009: Introduced. To Senate Committee on Labor, Elections and Urban Affairs.

WI S 366 Coggs (D)

Title: Unemployment Insurance Law

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.  
Status: 11/03/2009: From Senate Committee on Labor, Elections and Urban Affairs.  
Recommended passage. Available for Scheduling.

## WYOMING

WY H 232 Connolly (D)

Title: Fair Employment Revisions

Summary: Relates to discriminatory compensation practices; provides for backpay for similar discriminatory compensation practices; provides for determination of the time of occurrence of discriminatory compensation practices.  
Status: 02/16/2009: No Report Prior to Committee of the Whole Cutoff.

WY H 53 Millin (D)

Title: Unfair Employment Practices

Summary: Relates to fair employment practices; provides that discriminatory and unfair employment practices include retaliatory acts as specified.  
Status: 01/28/2009: Committee amendment adopted on House floor. Indefinitely postponed.

*Source: 2009 State Net Legislative Tracking Database, November 25, 2009 (final 2009 search).*