

National Conference of State Legislatures
State Laws on Employment-Related Discrimination

October 2010

State and Citation	Covers	Exclusions	Prohibited Practices	Enforcement Agency	Complaint Process	Remedy/Damages¹
Alabama Code §§ 21-7-1 and 21-7-8.	Not specified	Not Specified	visually handicapped, physically disabled, age	none	none	none
Alaska Const. Art. I, §3, Alaska Stat. §§ 18.80.010–18.80.300.	employers with 1 or more employees, public and private employers, employment agencies, labor organizations, communications, media;	social clubs, nonprofit religious, fraternal, charitable, or educational organizations, domestic employment.	race, religion, color, national origin, age, physical or mental disability, gender, marital status, pregnancy or parenthood, retaliation	State Commission for Human Rights	Copy of written complaint to Commission	appropriate relief, reasonable expenses, including attorney fees
Arizona §41-1401 et seq.	public and private employers, employment agencies, labor organizations	non-civil service staff of elected public officials, employers with fewer than 15 employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, the United States, Indian tribes, and bona fide tax-exempt private membership clubs.	race, color, religion, gender, age, physical or mental disability, national origin, genetic test results, retaliation,	Arizona Civil Rights Division	Timely filing of charge with ACRD prerequisite to suit	Temporary restraining order or preliminary relief, hiring or reinstatement with or without back pay or other equitable relief, including attorneys' fees
Arkansas §§16-123-101 to 108	employers who employ 9 or more employees in each of twenty or more calendar weeks in the previous year	employment by a religious corporation, association, society, or other religious entity. matters regulated by the Arkansas Insurance Code or the Trade Practices Act of the Arkansas Insurance Code.	race; religion; national origin; gender; sensory, mental or physical disability, retaliation	Court of competent jurisdiction	No requirement to file with EEOC. civil suit must be brought within one year of alleged discrimination or within 90 days of receipt of a right-to-sue determination from the federal EEOC.	affirmative relief, up to two years back-pay, interest, court costs and attorney fees; in addition, compensatory and punitive damages are available for intentional discrimination.
California Gov't Code §12900-12926	public and private employers, employment	close family, employment under a special license in a nonprofit rehabilitation facility, employers with fewer than 5	race, religious creed, color, gender, gender identity, national origin, age of persons over 40, physical, mental or visual disability, medical	Fair Employment and Housing Commission	written complaint to Commission within one year of the date of alleged discrimination.	Jury trial, actual damages, plus up to three times that amount, as well as attorney fees and

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	agencies, labor organizations with 5 + employees	employees or fewer than 15 employees if unlawful employment practice related to mental disability, nonprofit religious organizations	condition, ancestry, arrest record, marital and military status, pregnancy or sexual orientation, retaliation, genetic information, lie-detector tests as condition for hire, or employees who take up to 40 hours per year for school or day care related activities,			court costs.
Colorado §24-34-401 et seq.	public and private employers, employment agencies, labor organizations	domestic service, religious organizations that are not supported in whole or part by taxation or public borrowing employers	race, creed, color, gender, age, disability, national origin, ancestry, applicant's refusal to disclose arrest and criminal records that have been sealed [24-72-308, 24-72-309.] employee's engaging in any lawful activity off the premises of the employer during nonworking hours unless such a restriction relates to a bona fide occupational requirement or is reasonably and rationally related to the employment activities and responsibilities of a particular employee or a particular group of employees, rather than to all employees of the employer, or is necessary to avoid a conflict of interest with any responsibilities to the employer or the appearance of such a conflict of interest [24-34-402.5	Civil Rights Commission	written complaint to Commission	Cease and desist order, hiring, reinstatement, or upgrading, with or without back pay, or restoration to membership in a respondent labor organization, or admission to a training program.
Connecticut ² §46a-51 to 46a-99.	public and private employers, employment agencies, labor organizations	close family members and in domestic service, employers of fewer than three persons	race, color, religion, creed, gender, national origin, age, present or past history of mental disorder, mental retardation, learning disability or physical disability (including but not limited to blindness), ancestry, marital status, pregnancy, retaliation, may not be disqualified from employment by the state or any business licensed by the state solely because of prior conviction of a crime, lie-detector tests, required submission to drug test	Commission on Equal Rights and Opportunities	written complaint to Commission within 180 days	cease and desist order, hiring or reinstatement, or restoration to membership, other appropriate relief- may include prospective monetary relief if no positions are currently available. Temporary injunctive relief if employer has more than 50 employees.

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			unless employer has reasonable suspicion employee is under influence of drugs or unless test authorized by federal law.			
Delaware Title 19, §710-728	public and private employers, employment agencies, labor organizations	religious, fraternal, charitable, and sectarian organizations not supported by government appropriations when discrimination and employers of fewer than four persons within the state when discrimination is not based on race, color, age, or national origin; domestic service, agricultural workers, and employment by close family members	race, marital status, genetic information, color, religion, gender, national origin, age, handicap, requiring submission to a polygraph examination, retaliation, sexual orientation	Department of Labor		cease and desist order, hiring or reinstatement, with or without back pay, other appropriate affirmative action, attorney's fees
DC ST § 2-1402.11	DC government, public and private employers, employment agencies, labor organizations	domestic service and employment by close family member	race, color, religion, gender, national origin, age between 18 and 65, disability, family responsibilities, marital status, matriculation, personal appearance, political affiliation, or sexual orientation, pregnancy, childbirth, tobacco use, retaliation, use of lie detector	Commission of Human Rights	written complaint to Office of Human Rights within one year of alleged discrimination, mandatory mediation process	Jury trial may be available, affirmative relief as appropriate, including back pay, compensatory and punitive damages, attorneys' fees available
Florida §760.01 et seq.	employers with 15 or more employees for each working day in each of 20 calendar weeks		race, color, religion, gender, national origin, age, handicap, marital status, AIDS/HIV, sickle-cell trait	Commission on Human Relations	written complaint to Commission within one year of alleged discrimination	affirmative relief, including attorney fees; back-pay is limited to two years.
Georgia §§ 45-19-20 to 45-19-45 (state employment); §§ 34-5-1 to 34-5-7 (equal pay); §§ 34-6A-1 to 34-6A-6	public and private employers (10+), employment agencies, labor organizations	personal and political staff of public officials	In state employment, race, color, religion, national origin, gender, physical disability, or age between 40 and 70, retaliation; In private employment in interstate commerce only, discrimination in pay based on gender and age over 40	Comm. on Equal Opp. (discrimination in state employment). Court of competent jurisdiction (equal pay and disabled).	sworn complaint to Commission within 180 days after alleged discrimination	Public employees: potential hiring/rehiring, possible back pay/benefits, actual damages. Private sector disability discrimination: hiring, reinstatement, back pay. Gender-based wage discrimination: unpaid

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(disabled).						wages.
Hawaii §378-1 to 69	public and private employers, employment agencies, labor organizations	the United States and domestic service.	race, color, religion, sexual orientation, age, gender, disability, ancestry, arrest or court record, marital status, or pregnancy, retaliation, required submission to lie detector tests, except for applicants to law enforcement agencies, HIV infection testing	Dept Labor and Industrial Relations	written complaint to Commission within 180 days of alleged discrimination	affirmative remedies, incl. potential hiring/ reinstatement/back pay, poss. attorney fees.
Idaho Code § 67-5901 to 5912 § 18-7301 Civil Rights	public and private employers, employment agencies, labor organizations	employers of fewer than five persons for each working day in each of 20 or more calendar weeks in the current or preceding calendar year	race, religion, creed, color, gender, national origin, disability, age (at least 40), retaliation, submission to lie detector tests except in law enforcement.	Commission on Human Rights	written complaint to Commission or civil suit within two years of alleged discrimination	equitable relief through courts, including back-pay up to two years and punitive damages up to \$1,000 per year for each willful violation.
Illinois Art I, §§17-19 and Illinois 775 ILCS 5/2-101	public and private employers, employment agencies, labor organizations	domestic service, personal staff of elected public officials, principal admin. officers of govt. bodies, and persons in federally certified vocational rehabilitation facilities who have been designated evaluatees, trainees, or work activity clients. private employers of fewer than 15 persons within the state during 20 or more calendar weeks within the current or preceding calendar year. nonprofit religious organizations.	race, color, religion, gender, national origin, age, ancestry, marital status, citizenship status, physical or mental handicap, use of lawful products during off-work hours (tobacco, alcohol, nonprescription drugs), military duty status or discharge status, limited use of genetic testing, retaliation	Human Rights Commission and Dept. of Human Rights	written complaint to the Dept. within 180 days of alleged discrimination	relief, including actual damages, hiring, reinstatement, back-pay, attorney fees and costs.
Indiana § 22-9-1-3 to 18	public and private employers, employment agencies, labor organizations	employers of fewer than 6 persons within the state, nonprofit fraternal or religious organizations, social clubs, close family, domestic service.	race, religion, color, gender, disability, handicap, national origin, ancestry, age, retaliation	Civil Rights Commission	written complaint to the Commission or a local agency, but not both	affirmative relief, including back-pay, attorney fees and costs, poss. civil action
Iowa OAG No. 83-3-4 (2983) and ICA §216.1 et	public and private employers,	employers with fewer than 4 employees, domestic service, close family, religious institution	age, race, creed, color, gender, national origin, religion, physical or mental disability, genetic test unrelated to occupation, HIV	Civil Rights Commission	written complaint to the Commission within 300 days of alleged discrimination	Remedial action incl. hiring/ reinstatement; actual damages and attorney fees; other

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seq. § 730.4-5	employment agencies, labor organizations		testing, submission to a polygraph or drug test-except for peace or corrections officers			affirmative remedies
Kansas ³ §44-1002 et seq., & 44-1112 et seq.	public and private employers, employment agencies, labor organizations, nonsectarian corporations, and organizations engaged in social service work	employers with fewer than 4 employees, domestic servants, close family members, and nonprofit fraternal or social organizations, drug testing of state employees	race, religion, color, gender, national origin, ancestry, physical handicap, age, genetic test results, retaliation	Civil Rights Commission	written complaint to Commission within 6 months of alleged discrimination	affirmative relief, including back-pay and an award of up to \$2,000 for pain, suffering and humiliation related to the discrimination
Kentucky §§344.010 et seq., 334.044 and 207-206.160	public and private employers, employment agencies, labor organizations	excludes employers of fewer than eight persons within the state in each of 20 or more calendar weeks in the current or preceding calendar year, close family, domestic service	race, color, religion, national origin, gender, age, disability, HIV (unless absence of virus is bona fide qualification for job), smoking, physical handicap, pregnancy, retaliation, (state employee-political affiliation or convictions)	Human Rights Commission and Attorney General	written complaint to Commission within 180 days of alleged discrimination	affirmative relief, including compensatory damages, attorney fees
Louisiana §23:301 et seq.	public and private employers, employment agencies, labor organizations	employers of 20 or 25 employees depending on the particular part of the chapter. Close family, domestic service, religion-affiliated organizations if curriculum is directed toward propagation of a particular religion	age, disability, race, color, sickle-cell disease, religion, gender, pregnancy or related conditions, national origin	State District Court	A plaintiff must give the person who has allegedly discriminated written detailed notice 30 days before initiating court action, and both parties must make a good faith effort to resolve the dispute prior to initiating court action.	general or special compensatory damages, back-pay, benefits, reinstatement, front pay, attorney fees and costs
Maine Title 5, §4571	public and private employers, employment agencies, labor organizations	close family, nonprofit religious or fraternal organizations	race, color, religion, physical or mental disability, ancestry, age, national origin, gender, sexual orientation, retaliation, polygraph or genetic test	Human Rights Commission	oral or written complaint to Commission within 300 days of alleged discrimination	Appropriate remedies, attorneys fees and costs, poss. civil penal damages up to \$50,000
Maryland Code, State	public and	employers with fewer than 15 employees for each working	race, color, religion, gender, age, national origin, marital status,	Commission on Human	written complaint under oath to Commission	Affirmative action and other equitable relief

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Gov't § 20-602	private employers, employment agencies, labor organizations	day in each of 20 or more calendar weeks in the current or preceding calendar year, and bona fide private membership clubs., non-civil service employees of public officials	physical or mental handicap, retaliation	Rights	within 6 months of alleged discrimination	
Massachusetts M.G.L.A Ch. 151B, §1(5)	public and private employers, employment agencies, labor organizations	employers of fewer than six employees, nonprofit clubs and fraternal organizations	race, religious creed, color, national origin, ancestry, gender, age, sexual orientation, handicap (incl. AIDS), genetic information, pregnancy, misdemeanors or arrest information not convicted, lie detector or HTLV III test, sexual harassment	Commission Against Discrimination	complaint filed with Commission within 300 days	Commission orders subject to judicial review and poss. civil penalties to employer
Michigan §37.2201 et seq.	public and private employers, employment agencies, labor organizations	close family	race, color, religion, gender, national origin, marital status, height, weight, age, pregnancy, handicap (incl. AIDS), retaliation	Civil Rights Commission	complaint to Commission	affirmative relief; civil suit provides for costs and attorney fees Jury trial available, affirmative remedies: hiring/reinstatement/ poss. back pay. payment of profits obtained by respondent in violation, injunctive relief, Damages, attorney fees
Minnesota §363A.03 et seq.	public and private employers, employment agencies, labor organizations	domestic service, close family	race, color, creed, religion, national origin, gender, sexual orientation, marital status, acceptance of public assistance benefits or housing, disability, activity in local commission, age, pregnancy, lie detector, drug test,	Department of Human Rights	signed charge submitted to the Commission within one year of alleged discrimination	affirmative relief, including up to triple actual damages, damages for pain and suffering, back-pay, punitive damages up to \$8,500, attorney fees
Mississippi §33-1-15 et seq. (military affairs) Miss. Code. Ann. §§ 25-9-149, 43-6-15.	Military affairs, Public employees	none specified	race, color, religion, sex, national origin, age, or handicap (blindness, visually handicapped, deaf, or otherwise physically handicapped, unless such disability materially affects performance of the work required by the job), past or present active or reserve military service	Court of competent jurisdiction	none	unspecified
Missouri VAMS §	public and private employers,	fewer than six employees within the state or corporations	race, color, religion, national origin, gender, ancestry, age,	Commission on Human	verified written complaint to	affirmative relief, including back-pay,

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213.010-077	employment agencies, labor organizations	and associations owned and operated by religious or sectarian groups	gender, familial status, handicap, retaliation	Rights	Commission within 180 days of alleged discrimination	actual, compensatory, or punitive damages, costs and attorney fees
Montana §49-2-101 (Human Rights Act); § 39-2-901-914 (Wrongful Discharge Act)	HRA-public and private employers, employment agencies, labor organizations WDA-any employer	employers with 1 or more employees	race, religion, color, national origin, creed, age, physical or mental disability, marital status, gender, pregnancy, lie detector test, retaliation	Commission for Human Rights	complaint to Commission within 180 days of alleged discrimination (exclusive remedy)	Attorney fees; HRA-any reasonable measure to correct harm and remedy discrimination. WDA- Lost wages and benefits up to 4 years from date of discharge, poss. punitive damages
Nebraska §48-1101 et seq.	public and private employers, employment agencies, labor organizations	fewer than 15 employees for each working day in each of 20 or more calendar weeks in the current or preceding year, the United States, Indian tribes, and bona fide tax-exempt private membership clubs, close family, favor of a particular religion by a religious organization. Private employers are not covered by the Nebraska age discrimination provisions unless they have 25+ employees	race, color, religion, gender, disability, marital status, national origin, age, pregnancy, retaliation	Equal Opportunity Commission	written complaint under oath to Commission within 300 days of alleged discrimination	affirmative relief subject to judicial review, attorney fees
Nevada § 613.310–613.430.	public and private employers, employment agencies, labor organizations	fewer than 15 employees, United States, Indian tribes, tax-exempt private membership clubs. employers with respect to employment outside Nevada, religious organizations hiring members of that religion to carry out work connected with their religious activities	race, color, religious creed, gender, sexual orientation, age, disability (incl. AIDS), national origin, genetic test results, pregnancy, retaliation, limits on lie detectors	Equal Rights Commission	written complaint to Commission within 180 days of alleged discrimination	affirmative relief, including back-pay for up to two years plus interest, and actual damages
New Hampshire §354-A:2 – A:7 and Adm. Rule 401.01	private employers of 6 or more employees, public employers, employment agencies, and labor organizations	nonprofit religious orgs and nonprofit social, fraternal, or charitable clubs, close family, domestic service	age, gender, race, color, marital status, religious creed, national origin, physical or mental disability, sexual orientation, genetic testing	Commission for Human Rights	written complaint to Commission within 180 days of alleged discrimination	affirmative relief, including back-pay and compensatory damages, subject to judicial review, attorney fees

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New Jersey §10:5-1 et seq.	public and private employers, employment agencies, labor organizations	Domestic service	race, creed, color, national origin, nationality, ancestry, age, gender, sexual orientation, past or present handicap (Incl. AIDS), marital status, presence of an atypical hereditary cellular blood trait, genetic trait, draft status, retaliation, lie detector (in certain circumstances)	Division of Civil Rights	written complaint to Division within 180 days of alleged discrimination	Affirmative relief, treble damages, attorney fees
New Mexico §28-1-2 et seq.	public and private employers, employment agencies, labor organizations	4 or less employees	race, age, religion, color, national origin, ancestry, gender, physical or mental handicap, serious medical condition, retaliation	Human Rights Commission	written complaint to Commission within 180 days of alleged discrimination	Affirmative, injunctive relief, compensatory damages, specific performance, attorney fees, jury trial available
New York (Exec.) Law §296 et seq.; (Labor) Law art. 20-A, §§ 733–739	Employers, licensing agencies, employment agencies, and labor organizations	Fewer than 4 employees, close family	race, creed, gender, sexual orientation, color, national origin, age, disability (incl. AIDS), disabled persons use of guide, hearing or service dog, pregnancy, predisposing genetic characteristics, military status, marital status, arrest or conviction record, retaliation, lie detector test, sexual orientation, domestic violence victim status	Division of Human Rights	verified written complaint to Division within one year of alleged discrimination	affirmative and injunctive relief, including back-pay and compensatory damages. (election of administrative complaint bars civil suit)
North Carolina §143-422.1 et seq.	public and private employers, employment agencies, labor organizations; provisions regarding off-the-job use of lawful products apply to all public and private employers with 3 or more regularly employed employees	Fewer than 15 employees, domestic and farm workers	race, religion, color, national origin, age, gender, handicap or disability, off-duty use of lawful products, sickle-cell trait carriers, retaliation, genetic testing,	Human Relations Commission of the Dept. of Administration	complaint within one year of alleged discrimination	Claims based on handicap, use of lawful products, retaliation: affirmative relief, damages and injunctive relief, poss. attorney fees
North Dakota CC	employers, employment	political staff of elected public office-holder, close family,	race, color, religion, gender, national origin, age, physical or	State District Court	suit filed within 180 days of alleged discrimination	injunctions, equitable relief, and back-pay

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§14-02.4-01 et seq.	agencies, and labor organizations	domestic service, or those who employ for one-quarter of a year or less.	mental disability, marital status, acceptance of public assistance, participation in lawful activities during non-work hours, pregnancy, retaliation			limited to no more than two years from the date a complaint was filed, attorney fees
Ohio ⁴ §4113.02 et seq.	public and private employers, employment agencies, labor organizations	Fewer than 4 employees, domestic service	race, color, religion, gender, national origin, disability (Incl. HIV), age, ancestry, pregnancy, juvenile arrest record, retaliation	Civil Rights Commission	written complaint to the Commission	Judicial review available, affirmative relief, back-pay
Oklahoma Title 25, §1301(1) et seq.	public and private employers, employment agencies, labor organizations	fewer than 15 employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year unless such employer is a state contractor or subcontractor, Indian tribes, nonprofit membership clubs, close family, domestic service	race, color, religion, gender, national origin, age, disability, genetic testing, sex incl. but not lmted. to pregnancy	Human Rights Commission	written complaint to Commission within 180 days of alleged discrimination	affirmative relief incl. back-pay, compensatory damages, injunctive and attorney fees
Oregon O.R.S § 659A.006 et seq.	public and private employers, employment agencies, labor organizations	close family, domestic service, preference given by religious organization to which applicant/employee belongs	race, religion, color, gender, national origin, marital and familial status, age, disability, expunged juvenile record, pregnancy, injured workers, retaliation, requiring submission to breathalyzer test, lie detector, genetic testing, use of legal tobacco during non-working hours, person with a degree in theology or religious occupations, domestic violence	Bureau of Labor and Industries	written complaint to the Bureau commissioner within one year of the alleged discrimination	equitable relief may be granted by civil suit; remedies include back-pay up to two years, compensatory and punitive damages
Pennsylvania 43 PCSA §952 et seq.	public and private employers, employment agencies, labor organizations	religious, fraternal, charitable, or sectarian organizations that are not funded by government, fewer than 4 employees, agriculture, domestic service, close family	race, color, familial status, religious creed, ancestry, age, gender, national origin, handicap or disability, use of service animal, refusal to perform abortion or sterilization, retaliation, lie detector test- except law enforcement	Human Relations Commission	verified written complaint to Commission within 180 days of alleged discrimination	affirmative relief, including back-pay up to three years and attorney fees, investigatory hearing for race
Rhode Island §28-5-6(6) et seq.	public and private employers, employment agencies, labor	fewer than 4 employees, religious, close family, domestic service	race, color, religion, gender, sexual orientation, pregnancy, disability (incl. AIDS), age, country of ancestral origin, retaliation, lie-	Commission for Human Rights	formal charge to the Commission within 2 years of alleged discrimination	actual and punitive damages, attorney fees and costs

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	organizations		detector test, domestic abuse order or petition, AIDS, smoking in off-duty hours, 50+ employees employers must adopt and distribute written policy against sexual harassment			
South Carolina §1-13-20 et seq.	public and private employers, employment agencies, labor organizations	fewer than 15 persons for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, Indian tribes, private membership clubs, elected public officials, policymaking governmental appointees, and advisors as to constitutional or legal powers of political office	race, religion, color, gender, age, national origin, pregnancy, disability, smoking outside of the workplace	Commission on Human Affairs	complaint to Commission within 180 days of alleged discrimination	appropriate affirmative relief including back-pay for up to two years,
South Dakota §20-13-10 et seq.	public and private employers, employment agencies, labor organizations	number of employees not specified	race, color, creed, religion, gender, ancestry, disability, national origin, genetic testing, retaliation	Commission of Human Rights within the Division of Human Rights	charge to the Commission within 180 days of alleged discrimination	affirmative relief, including back-pay and compensation incidental to the violation but not including punitive or consequential damages or damages for pain and suffering, civil actions available
Tennessee §4-21-202 et seq.	public and private employers, employment agencies, labor organizations	fewer than 8 employees, close family, domestic service, religious organizations	race, color, creed, religion, gender, age, national origin, mental or physical handicap (incl. AIDS), retaliation	Human Rights Commission	written and sworn complaint to the Commission within 180 days of alleged discrimination	affirmative relief, including back-pay reduced by interim earnings, damages for humiliation and embarrassment, attorney fees, actual damages, injunction, and costs
Texas Labor Code §21.051 et seq.	public and private employers, employment agencies, labor organizations	fewer than 15 employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, religious organizations, close family members, participants in U.S. Department	race, color, disability, religion, gender, national origin, age, pregnancy, retaliation	Commission on Human Rights	written complaint to Commission within 180 days of alleged discrimination; civil action no later than 2 years past date of complaint filing	affirmative relief, including back-pay up to two years, reduced by interim wages, and costs; administrative remedies must be exhausted prior to filing of civil suit,

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		of Labor approved state-wide hometown plans				which may include punitive and compensatory damages, including pain and suffering, for intentional discrimination
Utah §34A-5-102 et seq.	public and private employers, employment agencies, labor organizations	fewer than 15 employees within the state in each of 20 calendar weeks or more in the current or preceding calendar year, religious organizations	race, color, gender, pregnancy and related conditions, age, religion, national origin, handicap, retaliation, false alcohol or drug test	Industrial Commission, Anti-Discrimination Division	written complaint to Commission within 180 days of alleged discrimination	Cease and desist order, hiring, reinstatement, or upgrading, back pay, and benefits, attorney fees
Vermont Title 21, §495 et seq.	public and private employers, employment agencies, labor organizations	Labor Orgs with fewer than 5 employees	race, color, religion, sex, sexual orientation, national origin, age, disability (incl. AIDS), ancestry, place of birth, retaliation, polygraph test-except for jobs involving public safety, sale of precious metals or gems, sale of regulated drugs, or when authorized or required by federal law, drug test-unless told negative result is a condition of employment or employer has probable cause to believe employee under influence of drugs on the job, genetic testing or counseling	State Attorney General and Human Rights Commission	complaint to Attorney General or Human Rights Commission	appropriate civil and equitable relief, including back-pay, attorney fees, costs and other damages
Virginia §2.2-3900 et seq.	employers with 5 or more employees	employers with 5 or more employees	race, color, religion, national origin, gender, age, marital status, disability	Council on Human Rights, Equal Opportunity Council	complaint to Council within 60 days of alleged discrimination	Disability- other affirmative/equitable relief but not pain/suffering, attorney fees
Washington §49.60.040 et seq.	public and private employers, employment agencies, labor organizations	fewer than 8 employees, nonprofit religious or sectarian organizations, close family, domestic service.	race, color, creed, religion, gender, national origin, age, mental or physical disability (incl. AIDS), military status, marital status, retaliation, lie detector test-except for employment with law enforcement agencies or manufacturers or distributors of controlled substances, or employment in sensitive positions involving national security, use of	Human Rights Commission	written complaint to Commission within 6 months of alleged discrimination	affirmative relief, including remedies that could be granted by a court; damages for pain and suffering are limited to \$10,000; a private cause of action may include actual damages, attorney fees or any other relief allowed under state or federal law

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			guide or service animal			
West Virginia §5-11-3 et seq.	public and private employers, employment agencies, labor organizations	Fewer than 12 employees, private clubs, close family	race, color, religion, sex, national origin, age, disability (incl. AIDS), visual handicap, familial status, or ancestry, retaliation, lie detector test- except for manufacturers or distributors of controlled drugs, and state military or law enforcement entities	Human Rights Commission	verified complaint to Commission within 365 days of alleged discrimination	affirmative relief, including back-pay; if complaint filed, administrative process becomes exclusive remedy unless granted leave to bring suit, other equitable relief, attorney fees
Wisconsin §§111.32 et seq. and 111.321 et seq.	public and private employers, employment agencies, labor organizations	close family, social clubs, fraternal societies violation of lie detector or genetic testing may not bring an action under this paragraph against PPE, EA, LO employing fewer than 15 individuals for each working day in each of 20 or more calendar weeks in the current or preceding year.	race, color, religion, creed, gender, marital status, national origin, age, handicap, ancestry, arrest record, conviction record, sexual orientation, military status, use or nonuse of lawful products off premises during nonworking hours, retaliation, pregnancy, lie detector test, AIDS test, or genetic test, or declining to attend a meeting or to participate in any communication about religious matters or political matters	Dept. of Industry, Labor, Human Relations	complaint to Dept. within 300 days of alleged discrimination	Appropriate remedial action, back pay from which interim earnings or amounts earnable with reasonable diligence must be deducted, poss. attorney fees, compensatory and punitive damages-
Wyoming §27-9-102 et seq.	public and private employers, employment agencies, labor organizations	Fewer than 2 employees and religious organizations	race, color, creed, gender, national origin, age, disability, ancestry, off-the-job use of tobacco, retaliation.	Dept. of Employment	written complaint to Dept. within 6 months of alleged discrimination	Appropriate remedial measures, back-pay or front-pay

Sources: *Guide to Employment Law and Regulation, 2nd Edition, West Group/Thomson Publishing;*
Manual of Employment Discrimination and Civil Rights Actions in the Federal Courts; 2 Manual on Employment Discrimination Appendix A3: Database updated June 2010;
State Net Bill Search "Employment Discrimination" Current Legislation

Notes:

1. In many states, a claimant may file a civil suit in addition to formal complaint to enforcement authority, and, if prevails in court, may be entitled to damages available to civil litigants.
2. Connecticut: no liability is imposed on individual employees
3. Kansas: persons acting for an employer are covered by the law
4. Ohio: the Ohio Supreme Court has ruled that supervisors or manager may be held jointly and severally liable along with their employer for discriminatory conduct.