



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

2013 Legislation on Employment-Related Discrimination

Year-end summary of 2013 introduced and enacted employment discrimination legislation: Forty-four states, D.C. and Puerto Rico considered bills related to employment discrimination during the 2013 legislative session, with a total of 356 introduced bills. Laws were enacted in 23 states and Puerto Rico: California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Louisiana, Maine, Maryland, Minnesota, Nevada, New Jersey, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, Texas, Utah, Vermont, Washington and Wyoming. Enacted bills in California, Maine, New Jersey and Texas were vetoed.

ARIZONA

AZ S 1163 Sponsor: Gallardo (D)
Title: Employment Discrimination
Status: Failed - Adjourned
Summary: Relates to employment discrimination; relates to prohibition.

ARKANSAS

AR H 1814 Sponsor: Leding (D)
Title: Compensation Equality Policy
Status: Failed - Adjourned
Summary: Requires state agencies to create a compensation equality policy; requires state agencies to be transparent concerning equal compensation for equal services.

AR H 2112 Sponsor: Walker (D)
Title: State Employees From a Hostile Work Environment
Status: Failed - Adjourned
Summary: Protects state employees from a hostile work environment; amends the law concerning grievances filed by state employees; amends the procedures for certain appeals.

CALIFORNIA

CA A 228 Sponsor: Logue (R)
Title: Labor Commissioner: Employee Claims
Status: Pending
Summary: Authorizes both the Director of the Department of Industrial Relations and the Labor Commissioner, or their deputies, to waive any penalties against an employer if the employer resolves a employee claim for wage and hour and occupational safety violations within 30 days of receiving a notice from the Commissioner. Provides these provisions would not apply to violations of minimum wage requirements.

CA A 263 Sponsor: Hernandez R (D)
Title: Employment: Retaliation: Immigration-Related Practices
Status: Enacted
Summary: Prohibits employer retaliation or adverse action against and employee or applicant for engaging in specified protected conduct. Provides for employment reinstatement and lost wages. Provides civil penalties. Prohibits immigration-related employment practices against employees in retaliation. Prohibits any person from making and/or enforcing a rule that prohibits disclosing information to a government entity or law enforcement. Prohibits preventing an employee from changing their personal information.

CA A 581 Sponsor: Ammiano (D)
Title: Care Facilities: Retaliation
Status: Enacted
Summary: Prohibits a licensee, or officer or employee of the licensee, from discriminating or retaliating in any manner, including eviction or threat of eviction, against any person receiving the services of the facility, or against any employee of the licensee's facility, or for the reason that, the person or employee or any other person has initiated or participated in the filing of a complaint, grievance, or a request for inspection.

CA A 870 Sponsor: Jones-Sawyer (D)
Title: Public Contracts: Bidders: Employment Practices
Status: Pending
Summary: Prohibits the state from contracting with a person or entity that asks an applicant for employment to disclose information concerning the conviction history of the applicant, including an inquiry about conviction history on an employment application, until the employer has determined if the applicant meets the minimum employment qualifications, as stated in any notice issued for the position. Provides these provisions would not apply to a position requiring such check or a criminal justice agency contract.

CA S 288 Sponsor: Lieu (D)
Title: Employment Protections: Time Off
Status: Enacted
Summary: Prohibits an employer from discharging, discriminating or retaliating against an employee who is a victim of crime for taking time off from work, upon the victim's request, to appear in court, including any delinquency, proceeding, a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is an issue. Extends protections, including reinstatement and reimbursement, to certain victims. Relate to rehiring and reimbursement for lost wages.

CA S 292 Sponsor: Corbett (D)
Title: Employment: Sexual Harassment
Status: Enacted
Summary: Amends the State Fair Employment and Housing Act that protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination based on specified factors and makes its provisions applicable to employers, labor organizations, employment agencies, and training programs and defines harassment because of sex for those purposes. Revises the definition of harassment because of sex to state that harassment may not need to be motivated by sexual desire.

CA S 39 Sponsor: De Leon (D)
Title: Local Agencies: Public Officers: Claims and Liability
Status: Enacted
Summary: Requires the forfeiture of a contractual, common law, constitutional, or statutory claim against a local public agency employer to retirement or pension rights or benefits by a local public officer who exercised discretionary authority and who was convicted of a felony for conduct arising out of, or in the performance of, his or her official duties.

CA S 397 Sponsor: Hueso (D)
Title: Vehicles: Enhanced Driver's License
Status: Pending
Summary: Authorizes the Department of Motor Vehicles to enter into a memorandum of understanding with a federal agency to facilitate travels within the western hemisphere pursuant to the federal Western Hemisphere Travel Initiative through the issuance of an enhanced driver's license, instruction permit, provisional license or identification card. Prohibits an employer from requiring an employee to use an enhanced driver's license or identification card as a condition of employment. Provides for an application fee.

CA S 400 Sponsor: Jackson (D)
Title: Employment Protections: Victims of Domestic Violence
Status: Enacted
Summary: Extends existing law prohibiting employers from taking adverse employment actions against victims of domestic violence who take time off from work. Extends the protections to victims of stalking. Prohibits an employer from discharging or discriminating against an employee or refusing to rehire because of the employee's status as a victim of

domestic violence, sexual assault, or stalking if notice is provided to the employer. Requires the providing of reasonable accommodations including safety measures.

CA S 404 Sponsor: Jackson (D)
Title: Fair Employment: Familial Status
Status: Pending
Summary: Includes familial status as an additional basis upon which the right to seek, obtain, and hold employment cannot be denied.

CA S 655 Sponsor: Wright (D)
Title: Fair Employment and Housing Act: Unlawful Practices
Status: Vetoed
Summary: Provides, in a claim under the Fair Employment and Housing Act, the aggrieved prevails if he or she has proven that a protected characteristic or activity was a substantial motivating factor in the employment action or decision. Limits remedies available if certain criteria are met. Provides that if an employer pleads and proves that it would have made the same employment action or decision without considering the protected activity or characteristic, injunctive relief and attorney's fees are authorized.

CA S 666 Sponsor: Steinberg (D)
Title: Employment: Retaliation
Status: Enacted
Summary: Subjects business licenses to suspension or revocation for specified violations. Relates to professional licensee disciplinary action. Provides for suspension or disbarment for any attorney who threatens reporting immigration status of an employee, if an employee is a witness or is exercising an employment right. Prohibits discharging or discrimination against an employee for filing a bona fide work-related complaint. Provides a related civil penalty.

CA S 761 Sponsor: DeSaulnier (D)
Title: Family Temporary Disability Insurance
Status: Pending
Summary: Provides that it is unlawful for an employer who regularly employs 10 or more individuals, or agent of an employer to discharge or in any other manner to discriminate against an individual because he or she has applied for, used or indicated an intent to apply for or use, family temporary disability insurance benefits.

COLORADO

CO H 1106 Sponsor: Everett (R)
Title: Labor Union Participation Discrimination
Status: Failed - Adjourned
Summary: Concerns the prohibition of discrimination against employees based on labor union participation.

CO H 1136 Sponsor: Levy (D)
Title: Employment Discrimination Remedies
Status: Enacted
Summary: Creates the Job Protection and Civil Rights Enforcement Act of 2013; provides procedures for affirmative relief against both a private and public employer respondent who is found to have engaged in an unfair or discriminatory employment practice to include age-related discrimination; provides for related civil actions and compensatory and punitive damages; provides damages limits for certain employers; creates a working group to provide related employer education regarding employment discrimination.

CO S 18 Sponsor: Ulibarri (D)
Title: Consumer Credit Information by Employers
Status: Enacted
Summary: Creates the Employment Opportunity Act; specifies the purposes for which consumer credit information can be used by an employer or potential employer; prohibits the use of such information for purposes unrelated to a job; authorizes an employee aggrieved by a violation to bring suit for an injunction, damages, or both; provides exemptions under certain circumstances; provides that no liability shall accrue to a credit reporting agency for providing credit information to an employer.

CO S 24 Sponsor: Hill (R)
Title: Discrimination Based on Labor Union Participation
Status: Failed - Adjourned
Summary: Concerns the prohibition of discrimination against employees based on labor union participation.

CO SJR 36 Sponsor: Carroll M (D)
Title: Bill Requests and Sexual Harassment
Status: Adopted
Summary: Concerns modifications to the joint rules of the senate and house of representatives that address sexual harassment and bill requests submitted to the office of legislative legal services by subject only.

CONNECTICUT

CT D 28 Sponsor: Office of Senator Martin M. Looney
Title: School Curriculum
Status: Failed - Adjourned
Summary: (LCO 188) Includes labor history and law, including the history of organized labor, the collective bargaining process and existing legal protections in the workplace, as part of the public school curriculum.

CT H 5169 Sponsor: Sampson (R)
Title: Joining a Union or Paying Union Dues
Status: Failed
Summary: Prohibits state employers from requiring state employees to join a union or pay union dues; prohibits the forced unionization of Connecticut state employees.

CT H 5685 Sponsor: Zoni (D)
Title: Credit Status Workplace Discrimination
Status: Failed
Summary: Prohibits employers from discriminating against employees on the basis of credit status; protects individuals from workplace discrimination on the basis of personal credit status.

CT H 5959 Sponsor: Orange (D)
Title: Blacklisting
Status: Failed
Summary: Concerns blacklisting; discourages blacklisting and the publication of names with the intent to blacklist by increasing the current statutorily mandated fine of not less than fifty and not more than two hundred dollars.

CT S 434 Sponsor: Joint Government Admin and Elections
Title: Department of Administrative Services and E Government
Status: Enacted
Summary: Concerns the Department of Administrative Services and E-Government, extensions of existing contracts, a State Americans with Disabilities Act Coordinator Advisory Committee and settlements by the claims commissioner; relates to state department and agency affirmative action programs.

CT S 482 Sponsor: Hartley (D)
Title: Alleged Discriminatory Practices
Status: Failed
Summary: Concerns trials in actions involving alleged discriminatory practices; provides an employee with the option of having a bench trial or jury trial in any matter based on an alleged discriminatory practice of the employer.

CT S 55 Sponsor: Markley (R)
Title: Mandatory Flu Shots
Status: Failed
Summary: Prohibits employers from requiring employees to receive mandatory flu shots; prevents employers from mandating that their employees receive flu vaccines as a condition of their employment.

CT S 821 Sponsor: Joint Housing
Title: Responsibilities Of Mandated Reporters Of Child Abuse

Status: Enacted
Summary: Concerns responsibilities of mandated reporters of child abuse and neglect; assists children suffering from abuse and neglect by strengthening the statutory protections for mandated reporters and other employees reporting suspected instances of child abuse or neglect; provides that an employer shall not hinder or prevent any employee from making a child abuse report or testifying in any proceeding involving child abuse or neglect.

CT S 908 Sponsor: Joint Labor and Public Employees
Title: Use of Criminal Conviction Information
Status: Failed - Adjourned
Summary: Concerns the use of criminal conviction information; permits any individual who has been denied employment or discharged on the basis of a prior criminal charge or conviction that has been erased to bring a civil action against the offending employer.

DELAWARE

DE H 21 Sponsor: Heffernan (D)
Title: Volunteer Emergency Responders Job Protection Act
Status: Enacted
Summary: Establishes the Volunteer Emergency Responders Job Protection Act; prohibits an employer from terminating or taking any other disciplinary action against an employee who is a volunteer emergency responder if such employee, when acting as a voluntary emergency responder, is absent from his or her place of employment for a State of Emergency or is absent due to an injury sustained during an emergency; allows an adjustment to wages due to such an absence; provides for wrongful termination.

DE H 22 Sponsor: Heffernan (D)
Title: Discrimination In Employment
Status: Enacted
Summary: Provides that it shall be an unlawful employment practice for an employer to discriminate in the hiring or discharging of an individual because of such individual's membership in a volunteer emergency responder organizer; allows an employer to take otherwise lawful actions regarding hiring, discharging or requiring attendance; provides that volunteer emergency responder means a volunteer firefighter, ladies auxiliary, volunteer emergency medical technician and a volunteer fire police officer.

DE S 97 Sponsor: Henry (D)
Title: Gender Identity
Status: Enacted
Summary: Adds the term gender identity to the already-existing list of prohibited practices of discrimination and hate crimes; forbids discrimination against a person on the basis of gender identity in housing, employment, public works contracting, public accommodations, and insurance; provides for increased punishment of a person who intentionally selects the victim of a crime because of the victims gender identity.

DISTRICT OF COLUMBIA

DC B 532 Sponsor: McDuffie (D)
Title: Protecting Victims of Gender Based Violence
Status: Pending
Summary: Amends the District of Columbia Human Rights Act of 1977 to protect victims and family members of victims of domestic violence, sexual abuse, and stalking against discrimination by employers, employment agencies, and labor organizations.

FLORIDA

FL H 105 Sponsor: Berman (D)
Title: Florida Civil Rights Act
Status: Pending
Summary: Relates to Florida civil rights act; prohibits discrimination on basis of pregnancy in specified establishments; prohibits employment discrimination on basis of pregnancy, childbirth, or related medical conditions; prohibits discrimination on basis of pregnancy by labor organizations, joint labor-management committees, employment agencies, or in licensing.

FL H 149 Sponsor: Campbell (D)
 Title: Safe Work Environments Act
 Status: Failed
 Summary: Relates to safe work environments; creates Safe Work Environment Act; provides findings and intent; provides that subjecting employee to abusive work environment is unlawful employment practice; prohibits retaliating against employee who has opposed any unlawful employment practice, or who has made charges, testified, assisted, or participated in any manner in investigation or proceeding concerning such claim; provides for vicarious liability for employers in certain circumstances.

FL H 163 Sponsor: Cruz (D)
 Title: Employment Discrimination
 Status: Pending
 Summary: Relates to employment discrimination; designates act as Helen Gordon Davis Fair Pay Protection Act; provides legislative findings and intent relating to equal pay for equal work for women; recognizes importance of DEO and FHRC in ensuring fair pay; provides for duties of department and commission; creates Governor's Recognition Award for Pay Equity in Workplace.

FL H 239 Sponsor: Saunders J (D)
 Title: Competitive Workforce Act
 Status: Pending
 Summary: Relates to prohibited discrimination; creates Florida Competitive Workforce Act; prohibits discrimination based on sexual orientation and gender identity or expression; defines terms; provides exceptions for constitutionally protected free exercise of religion.

FL H 561 Sponsor: Stafford (D)
 Title: Fair Employment Opportunity Act
 Status: Failed
 Summary: Relates to employment discrimination against the unemployed; creates Fair Employment Opportunity Act; prohibits employer from refusing to consider or offer employment because person is or was unemployed; prohibits advertisement or announcement which states or indicates that unemployed person is disqualified; prohibits employer from directing or requesting employment agency to take person's status as unemployed into account.

FL H 653 Sponsor: Saunders J (D)
 Title: Competitive Workforce Act
 Status: Failed
 Summary: Relates to prohibited discrimination; designates act Competitive Workforce Act; prohibits discrimination based on sexual orientation and gender identity or expression; defines terms; substitutes references to disability for references to handicap; revises and conforms terminology.

FL H 7079 Sponsor: Government Operations Subcommittee
 Title: Open Government Sunset Review Act
 Status: Enacted
 Summary: Relates to review under the Open Government Sunset Review Act; removes a scheduled repeal of public records exemption for certain information contained in records documenting act of domestic violence or sexual violence which are submitted to agency by an agency employee; relates to unlawful acts against employees seeking protection.

FL H 7145 Sponsor: Government Operations Subcommittee
 Title: Employment Discrimination Complaints
 Status: Enacted
 Summary: Relates to Open Government Sunset Review employment discrimination complaints; saves from repeal under the Open Government Sunset Review Act exemption from public records requirements for employment discrimination complaints and other records; relates to victims who choose not to file complaints and request records to be confidential.

FL H 717 Sponsor: Berman (D)
 Title: Civil Rights Act of 1992
 Status: Failed

Summary: Relates to the Florida Civil Rights Act of 1992; designates act Protect Our Women Act; expands meaning of because of sex or based on sex as terms relate to Florida Civil Rights Act of 1992; specifies that a woman who is pregnant or who is affected by medical condition related to pregnancy or childbirth must be treated same for all employment-related purposes, including receipt of benefits, as an individual who has medical condition unrelated to pregnancy or childbirth.

FL S 1800 Sponsor: Governmental Oversight & Accountability Cmt

Title: Employment Discrimination Complaints

Status: Failed

Summary: Relates to Open Government Sunset Review and employment discrimination complaints; amends provisions relating to a public records exemption for agency records concerning complaints of employment discrimination; saves the exemption from repeal under the Open Government Sunset Review Act.

FL S 198 Sponsor: Clemens (D)

Title: Social Media Privacy

Status: Pending

Summary: Relates to social media privacy; prohibits an employer from requesting or requiring access to a social media account of an employee or prospective employee; prohibits an employer from taking retaliatory personnel action for an employee's failure to provide access to his or her social media account; prohibits an employer from failing or refusing to hire a prospective employee who does not provide access to his or her social media account.

FL S 220 Sponsor: Thompson G (D)

Title: Florida Civil Rights Act

Status: Pending

Summary: Relates to the Florida Civil Rights Act; prohibits discrimination on the basis of pregnancy in public lodging and food service establishments; prohibits discrimination with regard to employment benefits; prohibits discrimination on the basis of pregnancy by labor organizations, joint labor-management committees, and employment agencies; prohibits discrimination on the basis of pregnancy in occupational licensing, certification, and membership organizations.

FL S 234 Sponsor: Clemens (D)

Title: Discrimination in Employment Screening

Status: Pending

Summary: Relates to discrimination in employment screening; prohibits an employer from inquiring into or considering an applicant's criminal record on an initial employment application unless required by law.

FL S 532 Sponsor: Clemens (D)

Title: Discrimination in Employment

Status: Failed

Summary: Relates to discrimination in employment; prohibits an employer, municipality, or county from inquiring into or considering an applicant's criminal history or to include any inquiry about criminal history on any initial employment application.

FL S 710 Sponsor: Abruzzo (D)

Title: Competitive Workforce Act

Status: Failed

Summary: Relates to prohibited discrimination; cites this act as the Competitive Workforce Act; revises provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; specifies when an individual has an impairment for certain purposes; revises provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination in public lodging establishments and public food service establishments.

FL S 7124 Sponsor: Governmental Oversight & Accountability Cmt

Title: Employment Discrimination Complaints

Status: Failed - Adjourned

Summary: Relates to employment discrimination complaints; amends provisions relating to a public records exemption for agency records concerning complaints of employment discrimination; saves the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption.

FL S 72 Sponsor: Joyner (D)
Title: Employment Discrimination Against the Unemployed
Status: Failed
Summary: Relates to employment discrimination against the unemployed; creates the Fair Employment Opportunity Act; prohibits an employer from publishing in print, on the Internet, or in any other medium an advertisement or announcement for a job which States or indicates that an unemployed person is disqualified from consideration for the job.

FL S 774 Sponsor: Thompson G (D)
Title: Protect Our Women Act
Status: Failed
Summary: Relates to the Florida Civil Rights Act of 1992; cites this act as the Protect our Women Act; expands the meaning of sex as the term relates to the Florida Civil Rights Act of 1992; specifies that a woman who is pregnant or who is affected by a medical condition related to pregnancy or childbirth must be treated the same for all employment-related purposes, including receipt of benefits, as an individual who has a medical condition unrelated to pregnancy or childbirth.

GEORGIA

GA H 427 Sponsor: Drenner (D)
Title: Public Officers and Employees
Status: Pending - Carryover
Summary: Relates to public officers and employees, change certain provisions relating to the Fair Employment Practices Act of 1978 and the merit system in order to prohibit discrimination based on sexual orientation, adds definitions, provides for related matters, repeals conflicting laws.

GA S 208 Sponsor: Hill Ju (R)
Title: State Defense Force
Status: Pending - Carryover
Summary: Relates to the State Defense Force, remove the restrictions regarding the right of public officers and employees to be absent for service on the State Defense Force and regarding reemployment rights of persons after service on the State Defense Force, provides for related matters, repeals conflicting laws.

HAWAII

HI H 54 Sponsor: Takumi (D)
Title: Employment Discrimination
Status: Pending - Carryover
Summary: Prohibits any employer or employment agency from publishing a job advertisement that states or suggests that an applicant for the job must be currently employed.

HI H 745 Sponsor: Ohno (D)
Title: Family School Leave
Status: Pending - Carryover
Summary: Authorizes family school leave for employees of employers who employ an unspecified number of employees, provided certain requirements are met, so that employees may participate in their children's school activities; prohibits employers from discharging or otherwise discriminating against an employee for taking family school leave; allows for a civil penalty in an amount equal to three times the amount of the employee's lost wages and benefits in certain circumstances.

HI HR 38 Sponsor: Hanohano (D)
Title: Combat Exclusionary Rules
Status: Pending - Carryover
Summary: Requests the support of the repeal of combat exclusionary rules.

HI S 535 Sponsor: Baker (D)
Title: Domestic Workers Bill of Rights
Status: Enacted
Summary: (Women's Legislative Caucus Bill Package) Prohibits a domestic service employer from discriminating against an employee, including an employee that provides companionship services for the aged or infirm or certain child welfare services, in compensation or in terms, conditions, or privileges of employment because of the individual's race, sex including gender identity or expression, sexual orientation, age, religion, color, ancestry, disability, or marital status.

HI S 562 Sponsor: Tokuda (D)
Title: Family School Leave
Status: Pending - Carryover
Summary: Authorizes family school leave for employees of employers who employ an unspecified number of employees, provided certain requirements are met, so that employees may participate in their children's school activities; prohibits employers from discharging or otherwise discriminating against an employee for taking family school leave; allows for a civil penalty in an amount equal to three times the amount of the employee's lost wages and benefits in certain circumstances.

ILLINOIS

IL H 1 Sponsor: Lang (D)
Title: Medical Cannabis
Status: Enacted
Summary: Creates the Compassionate Use of Medical Cannabis Pilot Program Act; authorizes the possession and use of medical cannabis; provides for discrimination by schools, employers or landlords, employee drug testing, registry identification cards, cultivation permits, background checks, dispensing organization registration, medical cannabis sales tax, election contribution restrictions, income taxes on organization registrants, driving under the influence of medical cannabis and possession in a motor vehicle.

IL H 1030 Sponsor: Flowers (D)
Title: Human Rights Act
Status: Pending
Summary: Amends the Human Rights Act; provides that with respect to employment, it is a civil rights violation for an employer to refuse to provide reasonable accommodations to an employee based on medical conditions related to pregnancy or childbirth, if she so requests with the advice of her health care provider.

IL H 2493 Sponsor: Turner (D)
Title: Human Rights Act
Status: Pending
Summary: Amends the Human Rights Act; adds managerial and supervisory employees to the class of individuals barred from engaging in sexual harassment; provides that a supervisory employee includes only employees who, with independent judgment, are authorized to hire, transfer, suspend, lay off, recall, promote, discharge, discipline, and handle grievances of the charging employee at the time of the alleged harassment.

IL H 2763 Sponsor: Scherer (D)
Title: Human Rights Act
Status: Pending
Summary: Amends the Human Rights Act; provides that it is a civil rights violation for an employer to refuse to make certain reasonable accommodations in the workplace for an employee protected under an order of protection; provides that an employer is not required to make the reasonable accommodations if they cause undue hardship on the work operations of the employer.

IL H 2846 Sponsor: Golar (D)
Title: Best Candidate for the Job Act
Status: Pending
Summary: Creates the Best Candidate for the Job Act; provides that private and public employers shall properly consider for employment and licenses persons previously convicted of one or more criminal offenses; prohibits discrimination against such persons unless there is a direct relationship between the offense and the specific license or employment sought; establishes criteria for evaluating convictions; exempts law enforcement agencies.

IL H 8 Sponsor: Flowers (D)
Title: Illinois Human Rights Act
Status: Pending
Summary: Amends the Illinois Human Rights Act; provides that with respect to employment, it is a civil rights violation for an employer to refuse to provide reasonable accommodations for an employee for conditions related to pregnancy, childbirth, or related medical conditions, if she so requests, with the advice of her health care provider; provides that the term

reasonable accommodations means actions which would permit such an employee to perform in a reasonable manner the activities involved in the job.

IL H 851 Sponsor: Madigan (D)
Title: Right To Privacy in the Workplace Act
Status: Pending
Summary: Amends the Right to Privacy in the Workplace Act; makes a technical change in a Section concerning prohibited inquiries.

IL S 1210 Sponsor: Silverstein (D)
Title: Homeless Act
Status: Enacted
Summary: Creates the Bill of Rights for the Homeless Act; sets forth certain rights of homeless persons; provides that a person experiencing homelessness has the right not to face certain employment discrimination; provides that in any civil action alleging a violation of the Act, the court may award appropriate injunctive and declaratory relief, actual damages, and reasonable attorney's fees and costs to a prevailing plaintiff; amends the Human Rights Act to make corresponding changes.

IL S 2312 Sponsor: Luechtefeld (R)
Title: Privacy in the Workplace Act
Status: Pending
Summary: Amends the Right to Privacy in the Workplace Act to exempt from certain prohibitions against discrimination an employer that, as its business purpose or objective, provides medical or hospital treatment to patients who have a cancerous condition that gives new employees blood tests for tobacco use, and that refuses to hire an individual or discharges an individual who was hired or otherwise disadvantages any individual with respect to compensation, terms, conditions of employment for tobacco use.

INDIANA

IN H 1299 Sponsor: Lawson L (D)
Title: Employment Protective Orders
Status: Failed - Adjourned
Summary: Relates to protective orders and employment; provides that: an individual is not subject to disqualification from eligibility for unemployment benefits because of discharge from the individual's employment due to circumstances directly related to the individual's filing of a petition for a protective order; an employer may not terminate an employee or discriminate against an employee with respect to compensation; benefits; or terms and conditions of employment.

IN H 1332 Sponsor: Mayfield (R)
Title: Workers Compensation Claims
Status: Failed - Adjourned
Summary: Relates to worker's compensation claims; provides that an employer shall not discharge or in any way discriminate against an employee because the employee files a claim for compensation or exercises any right afforded the employee under the worker's compensation or occupational diseases law; establishes a process for the worker's compensation board to investigate and hear complaints alleging violations; establishes a civil penalty for violations equal to twice the amount of the employee's losses.

IN S 198 Sponsor: Randolph (D)
Title: Protective Orders and Employment
Status: Failed - Adjourned
Summary: Relates to protective orders and employment; provides that an individual is not subject to disqualification from eligibility for unemployment benefits because of discharge from the individual's employment due to circumstances directly related to the individual's filing of a petition for a protective order; provides that an employer may not terminate an employee or discriminate against an employee with respect to compensation and benefits.

IOWA

IA D 2202 Sponsor: Kelley Da (D)
Title: Employment Discrimination Credit Scores and Home Owners
Status: Pending - Carryover
Summary: Relates to employment discrimination credit scores and home ownership.

IA D 2216 Sponsor: Kelley Da (D)
Title: Family and Medical Leave Act Discrimination Prohibition
Status: Pending - Carryover
Summary: Relates to family and medical leave act discrimination prohibition.

IA H 127 Sponsor: Lofgren (R)
Title: Internet Accounts
Status: Pending - Carryover
Summary: Prohibits an employer from requesting an employee or an applicant for employment to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account; also prohibits an employer from discharging, disciplining, failing to hire, or otherwise penalizing an employee or applicant for employment for failure to grant access to, allow observation of, or disclose information that allows access to or observation.

IA H 233 Sponsor: Kelley Da (D)
Title: Discriminatory Employment Practices
Status: Pending - Carryover
Summary: Prohibits discriminatory employment practices based upon a person's credit score or homeowner status; defines consumer reporting agency, credit report, credit score, and homeowner status; penalty provisions for discriminatory employment practices are made applicable to discrimination based on a person's credit score or homeowner status.

IA H 242 Sponsor: Kelley Da (D)
Title: Unfair Employment Practice
Status: Pending - Carryover
Summary: Provides that it is an unfair employment practice under the Iowa civil rights Act to discriminate against any employee or applicant for employment because that person has exercised the person's rights under the federal Family and Medical Leave Act.

IA H 367 Sponsor: Kelley Da (D)
Title: Employment Discrimination
Status: Pending - Carryover
Summary: Prohibits employment discrimination based on an individual's status as unemployed; defines status as unemployed as an individual who, at the time of application for employment or at the time of an alleged violation, does not have a job, is available for work, and is searching for work; provides that the Iowa civil rights commission is charged with administration of via existing procedures for employment discrimination complaints.

IA H 37 Sponsor: Hunter (D)
Title: Employment Discrimination
Status: Pending - Carryover
Summary: Prohibits employment discrimination based on an individual's status as unemployed; defines status as unemployed as an individual who, at the time of application for employment or at the time of an alleged violation, does not have a job, is available for work, and is searching for work; provides that the Iowa Civil Rights Commission is charged with administration of via existing procedures for employment discrimination complaints; prohibits certain unfair and discriminatory acts.

IA SSB 1125 Sponsor: Judiciary Cmt
Title: Employment Applicant
Status: Pending - Carryover
Summary: Prohibits a person from refusing to hire an applicant for employment because the applicant has been arrested for or convicted of a public offense more than 10 years before the date of application for employment; also prohibits a person from directly or indirectly advertising or in any other manner indicating or publicizing that an individual arrested for or convicted of a public offense more than 10 years before the date of application for employment is unwelcome, objectionable or not acceptable.

KENTUCKY

KY H 97 Sponsor: Jenkins (D)

Title: Employment
Status: Failed - Adjourned
Summary: Relates to employment; relates to court-ordered appearances by employees, to prohibit employers from discharging or retaliating against an employee who is a crime victim when the employee takes leave to attend proceedings associated with the crime; requires employee to give employer reasonable notice to take leave when practicable; provides guidelines for use of paid leave time; requires employer to maintain confidentiality of records and communications with employee crime victim.

KY S 28 Sponsor: Stein (D)
Title: Civil Rights
Status: Failed - Adjourned
Summary: Relates to civil rights; includes definitions for sexual orientation and gender identity; relates to the purpose of the Kentucky's civil rights chapter, to include a prohibition on discrimination because of sexual orientation and gender identity; relates to prohibited discrimination in various labor and employment practices, to include sexual orientation and gender identity.

LOUISIANA

LA H 402 Sponsor: Seabaugh (R)
Title: Employment Discrimination
Status: Failed - Adjourned
Summary: Provides relative to employment discrimination.

LA H 453 Sponsor: Norton (D)
Title: Payment of Wages
Status: Failed - Adjourned
Summary: Relates to payment of wages; provides for definitions; provides for prohibited acts constituting unequal pay; provides for a complaint procedure; provides for damages; limits actions of employees; requires certain records be kept by employers; provides for related matters.

LA H 85 Sponsor: Badon A (D)
Title: State Employees
Status: Failed - Adjourned
Summary: Prohibits discrimination in state employment based on sexual identification.

LA HCR 145 Sponsor: Leger (D)
Title: Louisiana Fair Pay Task Force
Status: Adopted
Summary: Creates the Louisiana Fair Pay Task Force to study wage disparities between men and women in the workforce in the state.

LA S 153 Sponsor: Murray (D)
Title: Pay for Women
Status: Enacted
Summary: Relates to the payment of wages; provides for employment in state government; provides for prohibited acts constituting unequal pay; provides for a complaint procedure; provides for damages; limits actions of employees; requires certain records by kept by employers.

LA S 68 Sponsor: Peterson (D)
Title: Equal Pay for Women
Status: Failed - Adjourned
Summary: Creates the Equal Pay for Women Act.

MAINE

ME H 528 Sponsor: Graham (D)
Title: Working Mothers Who Breast Feed
Status: Vetoed

Summary: Provides that it is unlawful employment discrimination under the Maine Human Rights Act for an employer to fail to provide certain workplace accommodations for an employee with a nursing child.

ME H 581 Sponsor: Dorney (D)

Title: Pregnant Women

Status: Failed

Summary: Provides that it is unlawful employment discrimination under the Maine Human Rights Act for a covered entity to fail to provide an employee who is pregnant the same reasonable accommodations applicable to a qualified individual with a disability.

ME H 822 Sponsor: Russell (D)

Title: Fair Chance for Employment Act

Status: Pending - Carryover

Summary: Establishes the Fair Chance for Employment Act; prohibits an employer, employment agency, or any person from publishing, in print, on the Internet or in any other medium, an advertisement or announcement for a job vacancy stating that current employment status is a requirement or qualification for the job, or that an employer will not consider an individual for employment based on current employment status; provides for civil fines and penalties.

ME LR 18 Sponsor: Russell (D)

Title: Fair Chance for Employment Act

Status: Failed - Adjourned

Summary: Establishes the fair chance for employment act.

ME LR 1906 Sponsor: Gideon (D)

Title: Workplace Bullying

Status: Failed - Adjourned

Summary: Addresses workplace bullying, mobbing and harassment without regard to protected class status.

MARYLAND

MD H 1334 Sponsor: Kelly A (D)

Title: Pregnancy and Childbirth Leave

Status: Failed

Summary: Relates to employment discrimination; relates to leave for pregnancy and childbirth.

MD H 314 Sponsor: Pena-Melnyk (D)

Title: State Board of Morticians and Funeral Directors

Status: Enacted

Summary: Regards the disciplinary authority of the State Board of Morticians and Funeral Directors and funeral establishment licenses; prohibits discrimination against a licensed employee because of HIV/AIDS status.

MD H 595 Sponsor: Davis D (D)

Title: Workers Compensation Retaliation By Employer

Status: Failed - Adjourned

Summary: Expands a provision of law prohibiting an employer from discharging a covered employee who files a claim for workers' compensation to include prohibiting the employer from retaliating in any way against the covered employee; applies a specified criminal penalty to a violation of the Act; authorizes a covered employee aggrieved by a specified violation to bring a civil action against the employer.

MD H 795 Sponsor: Hucker (D)

Title: Discrimination Against Employee Occupational Complaints

Status: Enacted

Summary: Authorizes the Commissioner of Labor and Industry to accept oral complaints made by an employee if the employee submits a written complaint, signed by the employee, within a certain time period after making the oral complaint; relates to the submission of complaints to the Commissioner of Labor and Industry under the Maryland Occupational Safety and Health Act; prohibits employer discrimination.

MD H 804 Sponsor: Hucker (D)

Title: Employment Discrimination
Status: Enacted
Summary: Requires an employer to explore specified means of accommodating a disability caused or contributed to by pregnancy if an employee requests a reasonable accommodation; requires an employer to transfer an employee to a less strenuous or less hazardous position for a specified period of time in specified circumstances; authorizes an employer to require an employee to provide a specified certification; requires an employer to post specified information concerning disability leave and accommodations.

MD S 449 Sponsor: Madaleno (D)
Title: Fairness for All Maryland Act of 2013
Status: Failed
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 or sexual orientation.

MD S 609 Sponsor: Klausmeier (D)
Title: Workers Compensation
Status: Failed - Adjourned
Summary: Relates to workers' compensation; relates to retaliation by employer; relates to the prohibition thereof.

MD S 784 Sponsor: Benson (D)
Title: Employment Discrimination
Status: Enacted
Summary: Requires an employer to explore specified means of reasonably accommodating a disability caused or contributed to by pregnancy if an employee requests a reasonable accommodation; requires an employer to transfer such employee to a less strenuous or less hazardous position for a specified period of time; authorizes an employer to require an employee to provide a certificate from a health care provider; requires an employer to post information regarding employee rights to reasonable accommodation.

MASSACHUSETTS

MA H 1728 Sponsor: Gordon (D)
Title: Employment Claims Concerning Discrimination
Status: Pending
Summary: Prevents contracts of waivers in employment cases of claims concerning discrimination; relates to non-payment of wages or benefits; relates to retaliation or harassment or violation of public policy.

MA H 1745 Sponsor: Malia (D)
Title: Prospective Employer Discrimination
Status: Pending
Summary: Prohibits prospective employer discrimination against persons who are or have been unemployed.

MA H 1750 Sponsor: Moran M (D)
Title: Right to Domestic Work
Status: Pending
Summary: Establishes employment rights for certain domestic workers.

MA H 1758 Sponsor: Rushing (D)
Title: Height and Weight Discrimination
Status: Pending
Summary: Makes it unlawful to discriminate on the basis of height and weight in compensation or in terms, conditions or privileges of employment.

MA H 1766 Sponsor: Story (D)
Title: Protected Class Status
Status: Pending

Summary: Addresses workplace bullying, mobbing, and harassment, without regard to protected class status.

MA H 1780 Sponsor: Walz (D)

Title: Non Discrimination Training

Status: Pending

Summary: Relates to non discrimination training in the workplace.

MA H 2266 Sponsor: Collins (D)

Title: Water Resource Authority Employees

Status: Pending

Summary: Relates to the employee rights of employees of the Massachusetts Water Resources Authority.

MA H 3231 Sponsor: Coakley-Rivera (D)

Title: Workplace Discrimination

Status: Pending

Summary: Amends existing laws; relates to discrimination in the workplace; provides for definition; adds the terms family caregiver, family member and serious health condition.

MA H 39 Sponsor: Office of the Governor

Title: Pharmacy Practice

Status: Pending

Summary: Relates to pharmacy practice in the Commonwealth; provides for the board of registration in pharmacy; relates to nonresident pharmacy licensure; relates to protection from retaliation against employees reporting violations of law or risks to public health, safety, or environment; provides penalties.

MA HD 1403 Sponsor: Gordon (D)

Title: Defense Against Abusive Waivers Act

Status: Pending

Summary: Relates to Defense Against Abusive Waivers Act, regarding waivers of rights in employment.

MA HD 1505 Sponsor: Walz (D)

Title: Non-Discrimination Training

Status: Pending

Summary: Relates to non-discrimination training in the workplace.

MA HD 1957 Sponsor: Coakley-Rivera (D)

Title: Discrimination in the Workplace

Status: Pending

Summary: Relates to discrimination in the workplace.

MA HD 3284 Sponsor: Fattman (R)

Title: Integrity in Hiring

Status: Pending

Summary: Encourages integrity in hiring.

MA HD 967 Sponsor: Rushing (D)

Title: Unlawful Discrimination Based on Height and Weight

Status: Pending

Summary: Makes discrimination on the basis of height and weight unlawful.

MA S 146 Sponsor: Tarr (R)

Title: Discrimination on Certain Boards of Registration

Status: Pending

Summary: Prevents discrimination on the board of state examiners of electricians, the board of state examiners of plumbers and gas fitters and the board of examiners of sheet metal workers; relates to members of collective bargaining agreements.

MA S 1736 Sponsor: Senator Jack A. Hart

Title: Veteran Discrimination
Status: Pending
Summary: Relates to discrimination against a veteran by an employer.

MA S 1897 Sponsor: Senate Floor
Title: Domestic Violence Victims Protection
Status: Pending
Summary: Enhances protection for victims of domestic violence; requires an employer to allow leave for the victim to for various related purposes; requires advance notice to the employer except in cases of imminent danger; provides the employer may require documentation from the employee justifying the absence; prohibits employer discrimination or discharge; provides criminal penalties for assault or assault and battery on a family or household member; relates to batterer's intervention and pretrial release.

MA S 1921 Sponsor: Ways and Means Cmt
Title: Veteran Discrimination
Status: Pending
Summary: Amends the provision of existing law that regards unlawful discrimination because of race, color, religious creed, national origin, ancestry, or sex to add past uniformed military service, including the National Guard.

MA SD 693 Sponsor: Rosenberg (D)
Title: Employment Opportunities Posting
Status: Pending
Summary: Relates to posting employment opportunities.

MA SD 711 Sponsor: Barrett (D)
Title: Use of Credit Reports By Employers
Status: Pending
Summary: Regulates the use of credit reports by employers.

MICHIGAN

MI H 4331 Sponsor: Yanez (D)
Title: Labor
Status: Pending
Summary: Prohibits use of credit history in the hiring process.

MI H 4366 Sponsor: Durhal (D)
Title: Labor
Status: Pending
Summary: Eliminates reference to felony convictions on a job application.

MI H 4509 Sponsor: MacGregor (R)
Title: Local Regulations
Status: Pending
Summary: Relates to the Labor and Management Rights Protection Act; prohibits local regulations that conflict with federal labor law; prohibits employers and labor organizations from waiving rights under this act; provides remedies.

MI H 4517 Sponsor: Slavens (D)
Title: Pay Equity
Status: Pending
Summary: Establishes commission on pay equity; specifies duties; relates to civil rights; relates to equity of pay; develops definitions of comparable wages, using the criteria of composite skills, responsibility, effort, education or training, and working conditions; holds meetings and hearings as necessary to develop definitions, models, and guidelines for employers and employees on pay and equity and to fulfill its other duties, subject to the open meetings act.

MI S 449 Sponsor: Ananich (D)
Title: Family Education Leave Act
Status: Pending

Summary: Creates a family education leave act; requires employers to provide unpaid leave for employees to attend academic activities of their children; provides the conditions for granting the leave; prohibits discrimination against employees who request or use the leave.

MINNESOTA

MN H 120 Sponsor: Winkler (DFL)

Title: Employment

Status: Pending - Carryover

Summary: Relates to employment; prohibits discrimination against unemployed individuals; provides for civil penalties.

MN H 542 Sponsor: Loeffler (DFL)

Title: State Employee Whistleblower Protection

Status: Enacted

Summary: Provides additional whistleblower protection to state employees; relates to reporting of planned violations of law and communication of information to a legislator, legislative auditor, or a constitutional officer by an employee in the classified service.

MN H 600 Sponsor: Mahoney (DFL)

Title: Employment Discrimination

Status: Pending - Carryover

Summary: Relates to employment; prohibits employment discrimination based on credit history.

MN H 690 Sponsor: Mahoney (DFL)

Title: Criminal History/Employment

Status: Failed

Summary: Specifies that the limitations on the use of criminal history information of an employee or former employee in a civil action against an employer applies if the action is based on the employer's compliance with state requirements regarding how criminal histories may be used in hiring processes; adds private employers to those who cannot inquire into or consider the criminal history of a job applicant until the applicant has been selected for an interview.

MN H 89 Sponsor: Dettmer (R)

Title: Military

Status: Pending - Carryover

Summary: Relates to the military; provides civil immunity from damages in certain situations; modifies business discrimination provision.

MN H 975 Sponsor: Benson J (DFL)

Title: DHS Operations

Status: Enacted

Summary: Modifies appeal and fair hearing requirements; clarifies that human services judges must be licensed attorneys and standardizes the title of human services judge for human services referees and judges appointed by the Commissioner of Human Services; creates the Cultural and Ethnic Communities Leadership Council; provides advice to the commissioner of human services on ways to reduce disparities that affect racial and ethnic groups.

MN S 25 Sponsor: Dibble (DFL)

Title: Employment Discrimination

Status: Pending - Carryover

Summary: Relates to employment; prohibits discrimination against unemployed individuals; providing for civil penalties.

MN S 505 Sponsor: Carlson J (DFL)

Title: Employment Discrimination

Status: Pending - Carryover

Summary: Relates to employment; prohibits employment discrimination based on credit history.

MN S 523 Sponsor: Champion (DFL)

Title: Criminal History for Employment Purposes

Status: Enacted

Summary: Relates to employment; limits reliance on criminal history for employment purposes; requires that such request may be made if there is no employment related interview, but before a conditional offer of employment is made to the applicant; provides for penalties against employers for violations; provides these provisions do not supersede a requirement for a criminal background investigation or criminal history records check in hiring for particular types of employment; relates to public employer violations.

MN S 872 Sponsor: Franzen (DFL)

Title: Human Services

Status: Failed

Summary: Relates to human services; modifies provisions related to fair hearings and internal audits; creates the Cultural and Ethnic Leadership Communities Council; removes obsolete language; makes technical changes.

MISSISSIPPI

MS H 1532 Sponsor: Evans J (D)

Title: DNA Testing for Discriminatory Purposes

Status: Failed

Summary: Prohibits the use of DNA test results for discriminatory purposes by employers or insurer; provides penalties for violations.

MS H 670 Sponsor: Lane (D)

Title: Family Forward Act

Status: Failed

Summary: Creates the family forward act; provides that the Legislature discourages wage discrimination because such discrimination harms families and negatively affects the children of families that suffer wage discrimination; clarifies when an unlawful employment practice occurs; clarifies the remedies for such discrimination.

MISSOURI

MO H 115 Sponsor: Davis Ch (R)

Title: Private Information

Status: Failed - Adjourned

Summary: Prevents repercussions on employees or prospective employees for failure to disclose private information to the employer.

MO H 320 Sponsor: Elmer (R)

Title: Discriminatory Employment Practices

Status: Failed - Adjourned

Summary: Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act.

MO S 353 Sponsor: Lager (R)

Title: Unlawful Discriminatory Practices

Status: Failed - Adjourned

Summary: Relates to unlawful discriminatory practices.

MO S 96 Sponsor: Justus (D)

Title: Sexual Orientation Discrimination

Status: Failed - Adjourned

Summary: Prohibits discrimination based upon a person's sexual orientation or gender identity; provides that such discrimination includes unlawful housing practices, denial of loans or other financial assistance, denial of membership into an organization relating to the selling or renting of dwellings, unlawful employment practices, and denial of the right to use public accommodations.

MONTANA

MT H 481 Sponsor: McClafferty (D)

Title: Discrimination of Gender Identity

Status: Failed

Summary: Prohibits discrimination of gender identity, expression and sexual orientation; relates to discrimination and human rights.

MT 5 2013

Executive Order LC: 5-2013

Title: Equal Pay Plan for Equal Work Task

Summary: Establishes an Equal Pay Plan for Equal Work Task Force to gather information, furnish advice, and provide recommendations on policies and actions to insure that workers in the State earn equal pay for equal work, regardless of gender.

NEBRASKA

NE L 485 Sponsor: Conrad (NP)

Title: Discrimination Based Upon Sexual Orientation

Status: Pending - Carryover

Summary: Prohibits discrimination based upon sexual orientation as prescribed.

NE L 560 Sponsor: Mello (NP)

Title: Labor and Employment Acts

Status: Pending - Carryover

Summary: Provides enforcement provisions to certain labor and employment acts; amends provisions of the Nebraska Fair Employment Practice Act, the Wage and Hour Act, the Nebraska Wage Payment and Collection Act, and the Employee Classification Act; requires employers, employment agencies and labor organizations to keep records for a specified time; prohibits retaliation against a person who has opposed any unlawful practice, made a charge or testified in any related hearing.

NE L 58 Sponsor: Larson (NP)

Title: Workplace Privacy Act

Status: Pending - Carryover

Summary: Adopts the Workplace Privacy Act; provides that no employer shall require disclosure of any user name or password in order to gain access to the employee or applicant's social networking site profile or account; prohibits an employer from requiring a waiver of the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

NE L 95 Sponsor: Dubas (NP)

Title: Employee Credit Privacy Act

Status: Pending - Carryover

Summary: Adopts the Employee Credit Privacy Act; provides that that a person should not be discriminated against in obtaining or retaining employment because of his or her credit history or credit report unless such information directly relates to a bona fide occupational requirement for employment.

NEVADA

NV A 12 Sponsor: Commerce Cmt

Title: Employee Notification of Complaints

Status: Enacted

Summary: Removes the requirement that an employee notify his or her employer before filing occupational safety complaints with the Division of Industrial Relations of the Department of Business and Industry; prohibits an employer from discharging or discriminating against such employee.

NV BDR 453 Sponsor: Office of Parks

Title: Provisions Relating To Employment Practices

Status: Failed - Adjourned

Summary: Revises provisions relating to employment practices.

NV BDR 473 Sponsor: Office of Hardy

Title: Provisions Concerning Employment

Status: Failed - Adjourned

Summary: Revises provisions concerning employment.

NV S 127 Sponsor: Parks (D)
Title: Conditioning Employment on a Consumer Credit Report
Status: Enacted
Summary: Prohibits employers from conditioning employment on a consumer credit report or other credit information; provides that it is unlawful for any employer in the State to directly or indirectly, require, request, suggest or cause any employee or prospective employee to submit a consumer credit report or other credit information as a condition of employment or use, accept, refer to or inquire concerning a consumer credit report or other credit information; provides for civil remedies.

NV S 437 Sponsor: Government Affairs Cmt
Title: False Claims
Status: Enacted
Summary: Authorizes a court to award not more than 10 percent of any recovery to a person who voluntarily discloses information in a false claim action or voluntarily provides information to the State or a political subdivision; authorizes a court to reduce the recovery to a private plaintiff; provides for civil penalties, dismissals, settlements and procedures; provides for the liability of an employer who retaliates against an employee for taking any lawful action related to a false claim.

NV S 506 Sponsor: Commerce, Labor, and Energy Cmt
Title: Employment Practices
Status: Enacted
Summary: Repeals an obsolete provision which excludes from the definition of the term unlawful employment practice any action or measure taken by an employer or certain entities against a person who is a member of the Communist Party or any other organization required to register as a Communist organization by order of the Subversive Activities Control Board.

NEW HAMPSHIRE

NH H 350 Sponsor: Copeland (R)
Title: Discrimination Against the Unemployed
Status: Pending
Summary: Prohibits hiring discrimination by employers based upon an individual's unemployment status.

NH H 357 Sponsor: Cushing (D)
Title: Credit History in Employment Decisions
Status: Pending
Summary: Prohibits employers from using credit history in employment decisions; deletes the requirement that an employer who pays wages by electronic fund transfer offer employees the option of being paid by check; permits an employer to pay wages with a payroll card after offering employees the option of being paid by direct deposit.

NH H 379 Sponsor: Sullivan P (D)
Title: Disclosure of Social Media Passwords to Employers
Status: Failed
Summary: Prohibits an employer from requiring an employee or prospective employee to disclose his or her social media passwords.

NH H 591 Sponsor: Schuett (D)
Title: Abusive Work Environment of Public Employees
Status: Pending
Summary: Relates to an abusive work environment and the health and safety of public employees; provides that the state of New Hampshire is committed to providing a positive work environment for state employees free from intimidation, ridicule, and harassment; provides that such harassment can inflict serious harm upon targeted employees such as increased stress and anxiety, concentration problems, loss of self-confidence and reduced performance, reduced quality of family life, and depression.

NH LSR 2059 Sponsor: Weed (D)
Title: Pay Check Equity
Status: Pending

Summary: Relates to pay check equity.

NH LSR 2148 Sponsor: Sullivan P (D)

Title: Employment Protection for Victims of Domestic Violence

Status: Pending

Summary: Relates to employment protection for victims of domestic violence.

NH LSR 2735 Sponsor: Office of Pierce

Title: Criticism of Employers By Employees

Status: Pending

Summary: Relates to public or private criticism of employers by employees.

NH LSR 466 Sponsor: Copeland (R)

Title: Discrimination Against the Unemployed

Status: Pending

Summary: Prohibits discrimination against the unemployed.

NH LSR 595 Sponsor: Cushing (D)

Title: Credit History in Employment Decisions

Status: Pending

Summary: Prohibits an employer from using credit history in employment decisions.

NH LSR 671 Sponsor: Schuett (D)

Title: Abusive Work Environment

Status: Pending

Summary: Relates to an abusive work environment and the health and safety of employees.

NEW JERSEY

NJ A 2648 Sponsor: Fuentes (D)

Title: Disclosure of Certain Employment Information

Status: Enacted

Summary: Prohibits employer retaliation against any employee who discloses to, or requests of, any other employee or former employee of the employer information regarding the job title, occupational category, and rate of compensation, including benefits, or the gender, race, ethnicity, military status, or national origin of the employee or former employee, if the disclosure was made to assist in investigating the possibility of discriminatory treatment concerning pay, compensation, bonuses, or benefits.

NJ A 4465 Sponsor: Stender (D)

Title: Protections in Employment Practices

Status: Pending

Summary: Expands protections in employment practices to include familial status.

NJ A 4486 Sponsor: Lampitt (D)

Title: Discrimination

Status: Pending

Summary: Prohibits discrimination based on pregnancy, childbirth or related medical conditions.

NJ S 2431 Sponsor: Rice (D)

Title: Equal Employment Opportunity Requirements

Status: Pending

Summary: Establishes certain equal employment opportunity requirements in connection with expenditure of federal funds received for Hurricane Sandy relief and for any future emergencies.

NJ S 2488 Sponsor: Rice (D)

Title: Politically Active Employee Protections

Status: Pending

Summary: Protects certain politically active employees from retaliatory action by employers.

NJ S 2586 Sponsor: Cunningham (D)
Title: The Opportunity to Compete Act
Status: Pending
Summary: Creates The Opportunity to Compete Act; establishes certain employment rights for persons with criminal histories; supplements the State's civil rights law to provide persons with criminal histories certain protections while seeking employment.

NJ S 2995 Sponsor: Weinberg (D)
Title: Workplace Discrimination Based on Medical Conditions
Status: Pending
Summary: Prohibits workplace discrimination based on pregnancy, childbirth or related medical conditions; requires employers to provide reasonable accommodations.

NJ S 3067 Sponsor: Scutari (D)
Title: Protections in Employment Practices
Status: Pending
Summary: Expands protections in employment practices to include familial status.

NJ S 968 Sponsor: Weinberg (D)
Title: Public Services Privatization Contracts
Status: Vetoed
Summary: Establishes procedures and standards regarding public services privatization contracts; provides all of the requirements that are to be met before an agency may enter into such contract that includes bidding, the quality and quantity of services, any fees, fares, or other charges to the public, the agency cost for such services, service oversight and post-audits, and the maximum length of such contract, a non-discrimination policy, prevailing wage requirements, and background checks.

NEW MEXICO

NM H 216 Sponsor: Egolf (D)
Title: Fair Pay For Women Act
Status: Enacted
Summary: Relates to employment; enacts the Fair Pay For Women Act; prohibits wage discrimination based on an employee's sex; prohibits retaliation for asserts a claim pursuant to the Act; provides penalties.

NM S 402 Sponsor: Lopez (D)
Title: Employment
Status: Failed - Adjourned
Summary: Relates to employment; enacts the fair pay for women act; prohibits wage discrimination based on an employee's sex; prohibits retaliation for asserts a claim pursuant to the fair pay for women act; provides penalties.

NEW YORK

NY A 1817 Sponsor: Camara (D)
Title: Discrimination For Failure to Meet Ticket Quotas
Status: Pending
Summary: Amends the Labor Law; designates discrimination against employees for failure to meet certain ticket quotas as a class A misdemeanor.

NY A 1945 Sponsor: Hooper (D)
Title: Charitable Organizations
Status: Pending
Summary: Amends the Executive Law; prohibits any charitable, civic, eleemosynary or other similar organization or association from discriminating against persons who are performing or are seeking to perform volunteer services on the basis of race, creed, color, national origin, sex, age, disability or marital status.

NY A 2367 Sponsor: Weinstein (D)
Title: Use of Job Applicant Personal Credit History

Status: Pending
Summary: Amends the Executive Law; prohibits the use of job applicant's personal credit history as hiring criteria, unless a reasonable nexus exists.

NY A 261 Sponsor: Rosenthal (D)
Title: Private Right of Action for Nail Specialists
Status: Pending
Summary: Provides a private right of action for nail specialists aggrieved by their employer in the case of a health and safety violation or retaliatory action.

NY A 2825 Sponsor: Wright (D)
Title: Hiring Discrimination By Employers Employment Agencies
Status: Pending
Summary: Prohibits hiring discrimination by employers, employment agencies and licensing agencies based upon an individual's unemployment status.

NY A 2828 Sponsor: Wright (D)
Title: President of the State Civil Service Commission
Status: Pending
Summary: Directs the president of the state civil service commission to publish reports annually relating to diversity within state government.

NY A 353 Sponsor: Dinowitz (D)
Title: Attorney and Expert Witness Fees
Status: Pending
Summary: Awards attorney fees and expert witness fees in appropriate cases; provides for with respect to cases of employment discrimination only, the award of attorney's fees will be limited to those cases in which the employer has fifty or more employees.

NY A 3997 Sponsor: Cahill (D)
Title: Call Center Reporting Requirements
Status: Pending
Summary: Amends the Public Service Law; relates to certain call centers; provides reporting requirements; prohibits retaliatory action by employers; provides remedies for violations.

NY A 3998 Sponsor: Cahill (D)
Title: Protections Against Discrimination Based on Disability
Status: Pending
Summary: Amends the Executive Law; clarifies the scope of protections against discrimination on the basis of disability under the New York state human rights law in the areas of employment, public accommodations and government services to be consistent with the federal Americans with Disabilities Act and the current policies and practices of the division of human rights.

NY A 4589 Sponsor: O'Donnell (D)
Title: Employment Discrimination
Status: Pending
Summary: Prohibits employment discrimination against persons whose criminal charges have been adjourned in contemplation of dismissal.

NY A 4869 Sponsor: Aubry (D)
Title: Unlawful Discriminatory Practices
Status: Pending
Summary: Amends the Executive Law; relates to unlawful discriminatory practices; requires employers to make a conditional offer of employment before inquiring about any criminal convictions of a prospective employee.

NY A 5262 Sponsor: Wright (D)
Title: Determining Whether an Employee Was Unjustly Dismissed

Status: Pending

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 in an area accessible to all employees.

NY A 5696 Sponsor: Benedetto (D)

Title: Protection for Employees from Retaliatory Actions

Status: Pending

Summary: Amends the labor law and the civil service law; relates to protection of employees and former employees against retaliatory action by employers; provides that every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof; provides that such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment; provides for civil and criminal penalties.

NY A 5782 Sponsor: Wright (D)

Title: Discrimination Against Certain Employees

Status: Pending

Summary: Makes permanent certain provisions relating to discrimination against certain employees.

NY A 6407 Sponsor: Katz (R)

Title: Stricter Penalties for Unlawful Wage Discrimination

Status: Pending

Summary: Relates to implementing stricter penalties for unlawful wage discrimination; creates the crime of unlawful wage discrimination.

NY A 6408 Sponsor: Katz (R)

Title: Stopping Sexual Harassment in All Workplaces

Status: Pending

Summary: Relates to stopping sexual harassment in all workplaces.

NY A 642 Sponsor: Dinowitz (D)

Title: Awarding of Attorney's Fees

Status: Pending

Summary: Permits awarding of reasonable attorneys' fees, costs and exemplary damages in court actions for unlawful discriminatory practices pursuant to the human rights law; provides that any person claiming to be aggrieved by an unlawful discriminatory practice shall have a cause of action in any court of appropriate jurisdiction for damages, including, in cases of housing discrimination only, punitive damages, and upon prevailing, shall recover reasonable attorney's fees and costs in the action.

NY A 649 Sponsor: Dinowitz (D)

Title: Absence For Jury Duty

Status: Pending

Summary: Creates additional remedies for unlawful discharge, penalty, or discrimination due to the exercise of an employee's right to be absent from employment for jury duty.

NY A 6515 Sponsor: Ortiz (D)

Title: Unfair Labor and Housing Practices

Status: Pending

Summary: Amends the Executive Law; eliminates unfair labor and housing practices against persons with veteran status by expanding the jurisdiction of the human rights commission.

NY A 6723 Sponsor: Robinson (D)

Title: Unlawful Hiring Discrimination

Status: Pending

Summary: Prohibits unlawful hiring discrimination by employers and employment agencies based upon an individual's unemployment status.

NY A 6894 Sponsor: Nolan (D)

Title: New York State Equal Pay Act

Status: Pending

Summary: Amends the Labor Law; enacts the New York State Equal Pay Act requiring equal pay for certain male and female employees.

NY A 7194 Sponsor: Rabbitt (R)

Title: Compliance With the Federal Equal Pay Act of 1963

Status: Pending

Summary: Amends the Civil Service Law; implements compliance with the federal Equal Pay Act of 1963 by establishing a state policy of compensating employees in state civil 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 office for employee relations on those segregated titles for which wage disparity exists.

NY A 7649 Sponsor: Abinanti (D)

Title: Retaliatory Action by Employer

Status: Pending

Summary: Amends the labor law; relates to retaliatory action by employers against any employee because such employee protests or discloses, whether to a supervisor, a public entity, or to the public in general, any action that constitutes a violation of the public officers law or of the penal law.

NY A 7825 Sponsor: Heastie (D)

Title: Unemployment Insurance Benefits

Status: Pending

Summary: Relates to unemployment insurance benefits; unlawful hiring discrimination by employers, employment agencies and licensing agencies; prohibits concurrent payments.

NY A 7909 Sponsor: Gunther (D)

Title: Employee Protections for Reporting Certain Violations

Status: Pending

Summary: Amends the mental hygiene law; relates to providing protections to mental hygiene employees from retaliatory actions from employers.

NY A 815 Sponsor: Abinanti (D)

Title: Employer Retaliation

Status: Pending

Summary: Prohibits employer retaliation against employees in the financial services industry.

NY A 8156 Sponsor: Finch (R)

Title: Sexual Harassment in the Workplace

Status: Pending

Summary: Provides that sexual harassment in the workplace shall be considered an unlawful discriminatory practice; provides for the woman's workplace protection act.

NY A 8201 Sponsor: O'Donnell (D)

Title: Civil Rights Protections for Interns

Status: Pending

Summary: Provides certain civil rights protections for interns; provides the actions that would be considered as an unlawful discriminatory practice by an employer in regards to persons in intern positions and/or applicants.

NY A 8242 Sponsor: Rosenthal (D)

Title: Sexual Harassment Against Interns

Status: Pending

Summary: Relates to unlawful discriminatory practices and interns; prohibits sexual harassment against interns.

NY A 834 Sponsor: Rosenthal (D)
Title: Sexual Harassment Training for Hotel Employees
Status: Pending
Summary: Requires sexual harassment training for hotel and motel employees.

NY A 881 Sponsor: Lifton (D)
Title: President of Civil Service Commission
Status: Pending
Summary: Directs the president of the civil service commission to study and publish a report evaluating public employers wage disparities related to the job titles segregated by the gender, race and/or national origin of the employees in the title.

NY A 898 Sponsor: Weinstein (D)
Title: Victims of Domestic Violence
Status: Pending
Summary: Defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.

NY A 903 Sponsor: Weprin D (D)
Title: Compliance With Federal Equal Pay Act
Status: Pending
Summary: Seeks to comply with the federal equal pay act of 1963 by implementing a state policy of compensating employees in state service equally for work of comparable value by eliminating wage inequality in job titles having been segregated by sex, race or national origin; requires the president of the civil service commission to report annually to the legislature and the governor on those segregated titles for which wage disparity exists.

NY A 946 Sponsor: Kellner (D)
Title: Protection in the Workplace Act
Status: Pending
Summary: Amends the Workers' Compensation Law; enacts the protection in the workplace act; provides that injuries to employees as a result of the commission of a sexual offense shall entitle such employee to all rights and benefits available pursuant to the workers' compensation law and, in addition, shall permit such employee to pursue any other remedies available at law or in equity; clarifies that workers' compensation should be exclusive remedy except when the employee suffers personal injury.

NY S 1271 Sponsor: Perkins (D)
Title: Affirmative Action Officers
Status: Pending
Summary: Provides that all affirmative action officers and administrators employed by the state shall be in competitive classified positions.

NY S 1308 Sponsor: Stavisky (D)
Title: Provisions of Human Rights Law
Status: Failed
Summary: Applies the provisions of the human rights law to all employers regardless of the number of persons in their employ excluding certain family operated businesses.

NY S 1490 Sponsor: Krueger (D)
Title: Retaliatory Personnel Actions by Employer
Status: Pending
Summary: Relates to retaliatory personnel actions by employers.

NY S 1491 Sponsor: Krueger (D)
Title: New York State Fair Pay Act
Status: Pending

Summary: Enacts the New York State fair pay act; provides that it shall be an unlawful employment practice for an employer to discriminate between employees on the basis of sex, race and/or national origin by paying different wages.

NY S 1840 Sponsor: Parker (D)

Title: State Contracts

Status: Pending

Summary: Prohibits the state from entering into certain contracts with companies requiring employees to stipulate to binding arbitration for all disputes unless it excludes disputes involving sexual assault.

NY S 1871 Sponsor: Montgomery (D)

Title: Compliance With the Federal Equal Pay Act of 1963

Status: Pending

Summary: Amends the Civil Service Law; 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; mandates governor to appropriate monies.

NY S 2579 Sponsor: Ball (R)

Title: Department of Mental Hygiene Registry

Status: Pending

Summary: Establishes within the department of mental hygiene a statewide central registry of persons terminated from employment for abuse, neglect or mistreatment of mentally ill or developmentally disabled persons.

NY S 3249 Sponsor: Krueger (D)

Title: Liability for Americans With Disabilities Act Violation

Status: Pending

Summary: Waives the state's sovereign immunity to liability for violations of the Americans with Disabilities Act of 1990, the Fair Labor Standards Act, the Age Discrimination Act, and the Family and Medical Leave Act; also waives the immunity of all instrumentalities and political subdivisions of the state.

NY S 3340 Sponsor: Hassell-Thompson (D)

Title: Municipal Commissions

Status: Pending

Summary: Amends the Civil Service Law; allows municipal commissions to use alternate lists for filling vacancies with resident and non-resident minority group members and women in order to achieve diversity in the workplace.

NY S 3367 Sponsor: Hassell-Thompson (D)

Title: Unlawful Discriminatory Practices

Status: Pending

Summary: Amends the Executive Law; relates to unlawful discriminatory practices; requires employers to make a conditional offer of employment before inquiring about any criminal convictions of a prospective employee.

NY S 3371 Sponsor: Hassell-Thompson (D)

Title: Victim of Domestic Violence Definition

Status: Pending

Summary: Amends the Executive Law; defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.

NY S 3385 Sponsor: Hassell-Thompson (D)

Title: Victim of Domestic Violence

Status: Pending

Summary: Amends the Executive Law; defines victim of domestic violence; prohibits employers from discriminating against victims of domestic violence.

NY S 3386 Sponsor: Hassell-Thompson (D)

Title: Establishment of Unlawful Discriminatory Practice

Status: Pending
Summary: Establishes it shall be an unlawful discriminatory practice for any prospective employer to make an inquiry about, or to act upon adversely to the individual involved based upon, any criminal conviction of such individual unless such employer first makes a conditional offer of employment to such individual.

NY S 3685 Sponsor: Savino (D)
Title: Public Employee Compensation
Status: Pending
Summary: Amends the civil service law; relates to discriminatory practices where public employers compensate employees of different sexes differently for work that is of comparable worth.

NY S 3713 Sponsor: Golden (R)
Title: Maximum Age Requirements for Correctional Officers
Status: Pending
Summary: Establishes maximum age requirements for New York city correctional officers; provides that the commissioner of correction shall not appoint a person as a correction officer if such person is more than thirty-five years of age as of the date of the applicant's appointment or eligibility to compete in a promotion examination.

NY S 3862 Sponsor: Klein (D)
Title: Retaliatory Actions from Employers
Status: Pending
Summary: Amends the labor law and the civil service law; relates to protection of employees and former employees against retaliatory action by employers; provides that every public employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof; provides that such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment; provides for civil and criminal penalties.

NY S 3868 Sponsor: Klein (D)
Title: Credit Privacy in Employment Act
Status: Pending
Summary: Amends the general business law and the labor law; relates to the use of consumer credit reports for employment decisions; provides that wherever there shall be a violation, an application may be made by the attorney general in the name of the people of the state to a court or justice having jurisdiction by a special proceeding to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin or restrain the continuance of such violation.

NY S 4340 Sponsor: Sanders (D)
Title: Unlawful Hiring Discrimination
Status: Pending
Summary: Prohibits unlawful hiring discrimination by employers and employment agencies based upon an individual's unemployment status.

NY S 4372 Sponsor: Kennedy (D)
Title: Awarding of Reasonable Attorney Fees and Costs
Status: Pending
Summary: Amends the Executive Law; permits awarding of reasonable attorneys' fees and costs and exemplary damages in court actions for unlawful discriminatory practices pursuant to the human rights law; provides incentive to the employer not to discriminate against the employee knowing there will be financial repercussions for their actions.

NY S 4438 Sponsor: Marcellino (R)
Title: Prohibition of State Contracts With Certain Vendors
Status: Pending
Summary: Amends the State Finance Law; prohibits state contracts with vendors that forbid employees from litigating discrimination or harassment claims except in the case of an emergency arising from certain unforeseen causes.

NY S 4453 Sponsor: Savino (D)
Title: Employer Retaliation Against Employees
Status: Pending

Summary: Amends the Labor Law; prohibits employer retaliation against employees in the financial services industry; relates to an insured bank, a commercial bank, trust company, private banker, agency or branch of a foreign bank in the United States, credit union, thrift institution, securities or commodities broker, investment banker, issuer of traveler's checks, insurance company, dealer in precious metals, loan company or travel agency.

NY S 4472 Sponsor: Savino (D)
Title: Public Employee Safety and Health Reform Act
Status: Pending
Summary: Amends the Labor Law; establishes the public employee safety and health reform act; relates to prohibiting retaliatory acts against public employees.

NY S 4606 Sponsor: Flanagan (R)
Title: Discriminatory Practices By Educational Institutions
Status: Pending
Summary: Amends the Executive Law; relates to unlawful discriminatory practices by educational institutions.

NY S 4747 Sponsor: Savino (D)
Title: Assessment of Exemplary Damages
Status: Pending
Summary: Amends the Civil Service Law; authorizes PERB to assess exemplary damages in cases of severe and/or repeated violations of improper practice prohibitions such as retaliation; relates to cease and desist orders.

NY S 5181 Sponsor: Marcellino (R)
Title: Use of Job Applicant's Personal Credit History
Status: Pending
Summary: Amends the Executive Law; prohibits the use of job applicant's personal credit history as hiring criteria, unless a reasonable nexus exists.

NY S 5391 Sponsor: Parker (D)
Title: President of the Civil Service Commission
Status: Pending
Summary: Directs the president of the civil service commission to study and publish a report evaluating public employers wage disparities related to the job titles segregated by the gender, race and/or national origin of the employees in the title.

NY S 5640 Sponsor: Savino (D)
Title: Retaliatory Action by Employer
Status: Pending
Summary: Amends the labor law, relates to retaliatory action by employers; relates to retaliatory action against an employee who protests or discloses any action that constitutes a violation of the public officers law or of the penal law.

NY S 5806 Sponsor: Klein (D)
Title: Labor Laws
Status: Pending
Summary: Amends labor laws; prohibits differential pay because of sex and discriminatory practices because of familial status; relates to attorneys fees in cases of housing, employment or credit discrimination; directs the division of housing and community renewal to review the Section 8 Housing Choice Voucher Administration Plan; provides for electronic orders of protection, trafficking victims protection, workers' compensation for birth of a child, income tax credit for dependent care and unemployment claims.

NY S 5873 Sponsor: Valesky (D)
Title: Unlawful Discriminatory Practices
Status: Pending
Summary: Amends the executive law; relates to unlawful discriminatory practices; relates to sexual harassment.

NY S 5874 Sponsor: Little (R)
Title: Provision of Attorney's Fees
Status: Pending

Summary: Amends the Executive Law; relates to the provision of attorney's fees in cases of housing, employment or credit discrimination.

NY S 5951 Sponsor: Krueger (D)

Title: Civil Rights Protections for Interns

Status: Pending

Summary: Provides certain civil rights protections for interns; provides that it is an unlawful discriminatory practice for an employer to refuse to hire or employ or to bar or to discharge from employment an intern or to discriminate because of the intern's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, religion, predisposing genetic characteristics, marital status, or domestic violence victim status; prohibits discriminatory employment advertising.

NY S 596 Sponsor: Gianaris (D)

Title: Discrimination Against Employees

Status: Pending

Summary: Designates discrimination against employees for failure to meet certain ticket quotas as a class A misdemeanor.

NY S 660 Sponsor: Sampson (D)

Title: Retaliatory Personnel Action by Employers

Status: Pending

Summary: Prohibits certain retaliatory personnel action by employers against employees who discloses, or threaten to disclose to a supervisor or to a public body an activity, policy or practice of the employer or another employee.

NY S 677 Sponsor: Stewart-Cousins (D)

Title: Hiring Discrimination by Employers

Status: Pending

Summary: Prohibits hiring discrimination by employers, employment agencies and licensing agencies based upon an individual's unemployment status; provides that it shall be an unlawful discriminatory practice for an employer or licensing agency, because of an individual's unemployment status, to refuse to hire or to employ or to bar such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

NY S 707 Sponsor: Parker (D)

Title: Sexual Discrimination

Status: Pending

Summary: Provides that no person shall because of their sex be subjected to any discrimination in his or her civil rights.

NORTH CAROLINA

NC H 429 Sponsor: Brandon (D)

Title: State Personnel Act

Status: Pending - Carryover

Summary: Amends the nondiscrimination and equal opportunity provisions of the state personnel act.

NC H 815 Sponsor: Luebke (D)

Title: Ban Use of Credit History in Hiring and Firing

Status: Pending - Carryover

Summary: Amends the labor laws to make unlawful employment discrimination based upon an employee's or prospective employee's credit history.

NC S 544 Sponsor: Stein (D)

Title: State Personnel Act

Status: Pending - Carryover

Summary: Amends the nondiscrimination and equal opportunity provisions of the state personnel act.

NC S 621 Sponsor: McKissick (D)

Title: Employment Discrimination on the Basis of Credit Rate

Status: Pending - Carryover

Summary: Prohibits employment discrimination on the basis of credit history or credit rating.

NORTH DAKOTA

ND H 1369 Sponsor: Hawken (R)
Title: Department of Labor Name Change
Status: Enacted
Summary: Relates to a name change from the department of labor to the department of labor and human rights.

ND S 2062 Sponsor: Government and Veterans Affairs Cmt
Title: Job Protections of Emergency Responders
Status: Enacted
Summary: Relates to job protections of volunteer emergency responders; prohibits discrimination in employment practices; provides that except for an involuntarily activated national guard member, an employer may take action if due to serving as a volunteer emergency responder, the employee is absent or tardy from the employee's place of employment for a period that exceeds twenty regular working days in a calendar year.

ND S 2127 Sponsor: Sorvaag (R)
Title: Veterans' Preference In Employment
Status: Enacted
Summary: Permits a private, nonpublic employer to provide a preference to a veteran for employment and to provide a preference to spouses of honorably discharged veterans who have a service-connected permanent and total disability; provides that such preference is not considered a violation of any state or local equal employment opportunity law.

OHIO

OH H 179 Sponsor: Bishoff (D)
Title: Court-Ordered Parenting Time and Parent's Employment
Status: Pending
Summary: Requires certain employers to allow a parent to exercise court-ordered parenting time without terminating the parent's employment, reducing the parent's pay, or taking other similar action against the parent.

OH H 235 Sponsor: Williams S (D)
Title: Felony information on Employment Applications
Status: Pending
Summary: Prohibits employers from including on an employment application any question concerning whether an applicant has been convicted of or pleaded guilty to a felony.

OH H 82 Sponsor: Hayes (R)
Title: Civil Rights Law Exemptions
Status: Pending
Summary: Exempts religious corporations, associations, educational institutions, or societies from the definition of employer for the purpose of Ohio's Civil Rights law.

OH S 119 Sponsor: Tavares (D)
Title: Domestic Workers
Status: Pending
Summary: Requires that domestic workers be paid the minimum wage; requires that domestic workers be paid overtime wages; makes certain conduct directed toward a domestic worker an unlawful discriminatory practice; requires a weekly day of rest for domestic workers.

OH S 70 Sponsor: Tavares (D)
Title: Credit History Discrimination by Employer
Status: Pending
Summary: Specifies that discrimination by an employer against any person because of the person's credit history is an unlawful discriminatory practice under the Ohio Civil Rights Law.

OH S 92 Sponsor: Turner (D)
Title: Wage Discrimination Prohibition Enforcement
Status: Pending

Summary: Enacts the Fair and Acceptable Income Required (FAIR) Act; revises the enforcement of the prohibitions against discrimination in the payment of wages.

OKLAHOMA

OK H 1414 Sponsor: Hall (R)

Title: State Government

Status: Enacted

Summary: Repeals provisions requiring agencies, boards, commissions, departments, and offices of each branch of state government, except institutions within the State System of Higher Education, to submit an affirmative action plan to the Office of Management and Enterprise Services, and which establish related procedures.

OK S 199 Sponsor: Brooks (R)

Title: School District Employment

Status: Enacted

Summary: Relates to school district employment; prohibits school district employment contracts from inquiring about an applicant's children; prohibits the enrollment status of an applicant's children from being considered in hiring decisions; provides for codification.

OK S 396 Sponsor: Jolley (R)

Title: Civil Rights Enforcement

Status: Enacted

Summary: Relates to civil rights enforcement; relates to racial profiling; authorizes filing of complaints with the Attorney General's Office of Civil Rights Enforcement; relates to discriminatory employment practices, causes of action, housing discrimination, procedures for dismissal of reports, filing of petitions, state agency rent collections, discrimination in state employment, traffic stops, investigative duties of the Attorney General's office and duties of the state Human Rights Commission.

OK S 60 Sponsor: Coates (R)

Title: Labor

Status: Pending - Carryover

Summary: Relates to labor; creates the Equal Pay Act of 2013; provides short title; defines terms; prohibits certain discrimination by employers on the basis of sex; provides exceptions; prohibits certain action for compliance; construes act; makes certain actions unlawful; authorizes the Commissioner of Labor to administer and enforce the act; authorizes the Commissioner to adopt certain rules; authorizes the Department of Labor to conduct certain investigations to enforce the act.

OREGON

OR D 2041 Sponsor: Judiciary Cmt

Title: Employment Discrimination Statute of Limitations

Status: Failed - Adjourned

Summary: Extends time limit for filing complaint or civil action for discrimination in employment based on protected class status of employee.

OR H 2606 Sponsor: Judiciary Cmt

Title: Civil Action

Status: Failed

Summary: Extends time limit for filing complaint or civil action for discrimination in employment based on protected class status of employee.

OR H 2654 Sponsor: Doherty (D)

Title: Social Media Account

Status: Enacted

Summary: Prohibits employer from compelling employee or applicant for employment to provide access to personal social media account or to add employer to social media contact list; prohibits retaliation by employer against employee or applicant; prohibits certain educational institutions from compelling student or prospective student to provide access to personal social media account or to add employee or volunteer of educational institution to social media contact list; Authorizes civil action for violation.

OR H 2672 Sponsor: Gelser (D)
Title: Domestic Workers
Status: Failed
Summary: Establishes certain workplace protections for domestic workers; makes violation unlawful employment practice; creates exceptions; requires Bureau of Labor and Industries to adopt rules related to employment of domestic workers.

OR H 2903 Sponsor: Tomei (D)
Title: Employment
Status: Enacted
Summary: Requires certain employers to post in premises where employees are employed summary of statutes and rules related to employment rights of victims of domestic violence, harassment, sexual assault or stalking; modifies definition of eligible employee to delete a section including an employee who worked an average of more than 25 hours per week for a covered employer for at least 180 days immediately before the date the employee takes leave.

OR H 2977 Sponsor: Business and Labor Cmt
Title: Construction Labor
Status: Enacted
Summary: Requires construction labor contractors to be licensed by the Commissioner of Bureau of Labor and Industries; establishes licensing requirements; includes such contractors in various provisions concerning farm labor contractors, including provisions requiring adequate insurance; specifies duties of construction labor contractor; prohibits certain actions and discrimination against employees; creates cause of action against person acting as construction labor contractor without license.

OR H 3041 Sponsor: Gallegos (D)
Title: Wage Inequity
Status: Failed
Summary: Prohibits discrimination or retaliation against employee who expresses concerns about wage inequity based on sex; requires Commissioner of Bureau of Labor and Industries to enforce prohibition in same manner as other unlawful employment practices.

OR H 3060 Sponsor: Hanna (R)
Title: Discrimination By Public Schools
Status: Failed
Summary: Prohibits imposition of sanctions on public school as result of school's discriminatory acts unless court has taken certain actions or conciliation agreement specifies sanctions; declares emergency, effective on passage.

OR H 3308 Sponsor: Witt (D)
Title: Employment
Status: Failed
Summary: Prohibits retaliation against employee for engaging in certain actions related to wage claim; creates presumption of retaliation against employee for adverse actions against employee taken by employer within 90 days from date employee engaged in certain activities related to wage claim; allows for rebuttal of presumption under certain circumstances; requires employer, upon written request, to provide conclusive statement of reasons for discharge of employee.

OR H 3342 Sponsor: Dembrow (D)
Title: Union Organizing
Status: Enacted
Summary: Relates to union organizing; prohibits a public employer from assisting, promoting or deterring union organizing and from using public property to hold meetings with employees or supervisors if the purpose of meeting is to assist, promote or deter union organizing; prohibits public employer from discharging, demoting, harassing or otherwise taking adverse action against a person who testifies, assists or participates in investigations; prohibits use of public funds to deter organizing; provides exceptions.

OR H 3390 Sponsor: Dembrow (D)
Title: Paid Leave
Status: Failed

Summary: Requires covered employer to implement paid sick leave for eligible employees; creates exception; specifies purposes for which leave may be taken and rate at which leave accrues; requires advance notice and authorization of leave under certain circumstances; prohibits discrimination against employee for inquiring about or using paid leave; makes violation unlawful practice subject to jurisdiction of Bureau of Labor and Industries; authorizes civil action for violation.

OR S 559 Sponsor: Devlin (D)

Title: Adults With Developmental Disabilities

Status: Enacted

Summary: Requires the Department of Human Services to provide adults with developmental disabilities needing comprehensive services at least three options for placement prior to initial placement or transfer, subject to exceptions; gives an adult the right to choose a placement option; requires equal access to job placements for all adults with developmental disabilities receiving comprehensive services.

OR S 767 Sponsor: Ferrioli (R)

Title: Unlawful Discrimination

Status: Failed

Summary: Requires complainant to sign complaint alleging unlawful discrimination under penalty of false swearing; permits respondent to be represented by person other than attorney in investigation or proceeding responding to complaint of unlawful discrimination; awards fees and costs to respondent if complaint is dismissed following investigation or if formal charge is dismissed following hearing.

OR S 768 Sponsor: Starr B (R)

Title: Institutional Discrimination in State Government

Status: Failed

Summary: Establishes Oregon Civil Rights Network; instructs Oregon Advocacy Commissions Office to provide administrative assistance to network; instructs network to develop certain guidelines and to share information and expertise related to discrimination and systemic inequalities in Oregon; requires network to develop coordinated enforcement process for investigation of complaints.

OR S 801 Sponsor: Rosenbaum (D)

Title: Paid Leave

Status: Failed

Summary: Requires covered employer to implement paid sick leave for eligible employees; creates exception; specifies purposes for which leave may be taken and rate at which leave accrues; requires advance notice and authorization of leave under certain circumstances; prohibits discrimination against employee for inquiring about or using paid leave; makes violation unlawful practice subject to jurisdiction of Bureau of Labor and Industries; authorizes civil action for violation.

OR S 849 Sponsor: Prozanski (D)

Title: Definition of Employment Service

Status: Enacted

Summary: Relates to unlawful employment discrimination; excludes from definition of employment service performed for corporation by individual with substantial ownership interest in corporation who is sole corporate officer and director of corporation and who has a substantial ownership interest in the corporation.

PENNSYLVANIA

PA H 1250 Sponsor: Donatucci (D)

Title: Amendment of the Equal Pay Law

Status: Pending

Summary: Amends the Equal Pay Law; further provides for penalties.

PA H 1514 Sponsor: Helm (R)

Title: Housing Discrimination

Status: Pending

Summary: Amends the Pennsylvania Human Relations Act; further provides for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions, for unlawful discriminatory practices and for powers and duties of the commission.

PA H 180 Sponsor: Boyle B (D)
Title: Discrimination Based on Unemployment Status
Status: Pending
Summary: Prohibits discrimination against persons based on unemployment status; provides for powers and duties of the Department of Labor and Industry; imposes penalties.

PA H 300 Sponsor: Frankel (D)
Title: Unlawful Discriminatory Practices
Status: Pending
Summary: Amends the Pennsylvania Human Relations Act; further provides for the right to freedom from discrimination in employment, housing and public accommodation; relates to sexual orientation and gender identity or expression; further provides for unlawful discriminatory practices, for prohibition of certain real estate practices, for powers and duties of commission, for educational programs and use of service animals.

PA H 429 Sponsor: Watson (R)
Title: Persons Permitted to Report Suspected Child Abuse
Status: Pending
Summary: Amends Title 23 on domestic relations of the Pennsylvania Consolidated Statutes, in child protective services; further provides for persons permitted to report suspected child abuse; provides a civil action for discrimination against a person filing such report.

PA H 579 Sponsor: Bishop (D)
Title: Unlawful Employment Discriminatory Practices
Status: Pending
Summary: Amends the Pennsylvania Human Relations Act; further provides for unlawful discriminatory practices.

PA H 796 Sponsor: Millard (R)
Title: Prevailing Wage Applicability Threshold
Status: Pending
Summary: Amends the Prevailing Wage Act, raising the threshold for applicability; provides for protection of workmen; relates to public works; requires contracts to state the minimum wage rate for workmen; prohibits dividing a construction project into multiple parts to circumvent the act; prohibits retaliation against a workman for participating in an investigation; provides for a civil course of action; provides for reinstatement, back wages, reinstatement of fringe benefits, damages and costs of litigation.

PA S 300 Sponsor: Browne (R)
Title: Unlawful Discriminatory Practices
Status: Pending
Summary: Amends the Human Relations Act; provides for the right to freedom from discrimination in employment, housing and public accommodation; relates to sexual orientation and gender identity or expression; relates to unlawful discriminatory practices, for powers and duties of commission, for prohibition of discrimination in real estate transaction; provides for an education program designed for students.

PA S 33 Sponsor: Mensch (R)
Title: Whistleblower Protection of Reporters of Child Abuse
Status: Pending
Summary: Amends Title 23 on domestic relations of the Pennsylvania Consolidated Statutes, providing for protection from employment discrimination for reporting child abuse or suspected child abuse.

PA S 862 Sponsor: Dinniman (D)
Title: Right to Freedom from Discrimination
Status: Pending
Summary: Amends the Pennsylvania Human Relations Act; further provides for right to freedom from discrimination in employment, housing and public accommodation; relates to permission of therapy dogs and persons licensed to train such dogs on forms of public transportation.

PUERTO RICO

PR H 1467 Sponsor: Santa Rodriguez (PPD)
 Title: Local Legislation
 Status: Pending
 Summary: Amends the Law of Retaliation; provides for internal procedures with respect to a company at one a forum; relates to application of protection of workers against retaliation for providing testimony or information.

PR H 182 Sponsor: Gonzalez Colon (PNP)
 Title: Genetic Information Discrimination
 Status: Pending
 Summary: Creates the Law Against Discrimination for Information Genetics with the purpose of prohibiting discrimination or unfavorable treatment of persons by reason of genetics information, by employers, labor organizations and organizations of health care plans; establishes definitions and prohibitions; provides information on genetics that can be requested and collected and use and disposed under certain conditions, exceptions and penalties.

PR H 79 Sponsor: Melendez Ortiz (PNP)
 Title: Workplace Harassment Prohibition
 Status: Pending
 Summary: Creates the Act to Prohibit Workplace Harassment; establishes a public policy against workplace harassment in the workplace; relates to the Department of Labor and Human Resources.

PR H 980 Sponsor: Matos Garcia (PPD)
 Title: Anti-bullying in the Workplace
 Status: Pending
 Summary: Creates the Special Act Against Labor Emotional Abuse and Anti-Bullying Workers Law in order to provide a healthy work environment, and one that is positive and productive; protects the employee against patterns of abusive attacks upon his honor, his reputation, and his private and family life in employment; imposes penalties.

PR HR 403 Sponsor: Torres Calderon (PNP)
 Title: Fire Chief Investigation
 Status: Pending
 Summary: Directs the Committee on Labor and Retirement Systems of Public Service to investigate the accuracy of information that has come to light publicly about the apparent actions of the current Fire Chief to downgrade dozens of firefighters for alleged political motivations, in obvious violation of the Constitution and to the provisions of Law 184 of 2004, known as the Law for Human Resource Management in Public Service.

PR S 238 Sponsor: Nieves Perez (PPD)
 Title: Sexual Orientation Discrimination Policy
 Status: Enacted
 Summary: Sets the policy of the government against discrimination based on sexual orientation and gender identity in any government administration, public or private; amends Law No. 167 of 26 July 2003, known as the Bill of Rights of the Young; amends Act No. 45 of February 25, 1998, known as Relations Act Work for Public Service; amends Law No. 184 of August 3, 2004, known as the Law for Human Resource Management Public Service; amends Law No. 115 of June 30, 1965.

PR S 715 Sponsor: Gonzalez Lopez (PPD)
 Title: Pay Equity Day
 Status: Pending
 Summary: Declares Pay Equity Day on October 28 each year to promote equal pay for men and women wage workers; creates promotions that advocate the reporting of wage inequality and to recognize women in their work.

PR S 724 Sponsor: Pena Ramirez (PNP)
 Title: Former Armed Forces Members
 Status: Pending
 Summary: Amends Law 100 of 1959, as amended, to include discrimination because of being military, ex-military , that have served in the Armed Forces of the United States or hold veteran status; defines military, ex-military and veterans.

PR SR 175 Sponsor: Lopez Leon (PPD)
 Title: Women Equal Work and Pay Program Study

Status: Pending
Summary: Orders the Senate Committees on Employment, Workplace Relations and Consumer Affairs, Women's Affairs, and Civil Rights, Citizenship and Social Economy to conduct a thorough investigation into the specific performance of Law 11 of 2009 which provides training programs and education programs to ensure equal pay for equal work for women.

PR SR 329 Sponsor: Gonzalez Lopez (PPD)
Title: Women in the Military
Status: Pending
Summary: Orders the Senate Committees on Women's Affairs and the Judiciary, Security and Veterans to conduct a research on women in the military active and veterans in Puerto Rico to ensure fair treatment to receive benefits, the recognition of their work and health services they need.

RHODE ISLAND

RI S 149 Sponsor: Kettle (R)
Title: Labor and Labor Relations
Status: Pending
Summary: Would submit to the electors of the state a non-binding referendum question concerning whether or not union membership would be a requirement of employment. This act would take effect upon passage.

RI S 150 Sponsor: Kettle (R)
Title: Education
Status: Pending
Summary: Would enact the Rhode Island teachers' right to work act, making union membership and union dues voluntary, and enabling those exercising their rights thereunder to bargain independently with their employers. This act would take effect upon passage.

RI S 358 Sponsor: Metts (D)
Title: Certificates of Recover and Re-Entry
Status: Enacted
Summary: Authorizes the Parole Board to issue certificates of recovery and re-entry to individuals convicted of certain crimes who establish their successful rehabilitation to the satisfaction of the Board; provides that an individual or entity that denies employment, professional licensing, housing or other benefits to a holder of a certificate on the basis of a criminal records check shall not be liable for civil damages or subject to any claim or cause of action.

RI S 363 Sponsor: McCaffrey (D)
Title: Labor Relations
Status: Pending
Summary: Would authorize the labor board to certify and recognize union representatives of public employees that submit authorization cards signed by at least seventy percent (70%) of its eligible employee members. It would empower the labor board to investigate and prosecute coercion used to influence the outcome of controversy as to union representation. This act would take effect upon passage.

SOUTH CAROLINA

SC H 3012 Sponsor: Clyburn (D)
Title: Citizen Relations Committee
Status: Pending
Summary: Establishes a Citizen Relations Committee within each county to study, evaluate, and recommend to the governing board of the county plans and programs to eliminate prejudice and discrimination, as well as to promote and safeguard the equal rights of, and respect for all people in the areas of employment, education, and social and economic justice.

SC H 3124 Sponsor: Bingham (R)
Title: Child Abuse Reporting
Status: Pending
Summary: Prohibits an employer from dismissing, demoting, suspending, or disciplining an employee who reports child abuse or neglect, whether required or permitted to report; creates a cause of action for reinstatement and back pay which an employee may bring against an employer who violates this prohibition.

SC H 3515 Sponsor: Whipper (D)
Title: Employee Reporting
Status: Pending
Summary: Relates to civil actions against an employing public body for retaliation against an employee who reports a violation of state or federal law or regulation; changes the maximum amount of actual damages an employee may recover from fifteen thousand dollars to three hundred thousand dollars.

SC H 4025 Sponsor: Smith Ja (D)
Title: Employment Discrimination
Status: Pending
Summary: Relates to prohibiting discrimination in employment because of race, religion, color, sex, age, national origin, or disability; also prohibit such discrimination because of sexual orientation or gender identity and to define sexual orientation and gender identity.

TENNESSEE

TN H 1109 Sponsor: Camper (D)
Title: Criminal Procedure
Status: Pending - Carryover
Summary: Relates to Criminal Procedure; authorizes court restoring a person's rights of citizenship following conviction for a crime to also grant a certificate of employment restoration; prohibits a licensing entity from denying license application based solely upon applicant's past criminal record if person has been issued a certificate of employment restoration; provides certain immunity to employers who hire a person who has been issued a certificate of employment restoration.

TN H 1198 Sponsor: Ragan (R)
Title: State Employees
Status: Pending - Carryover
Summary: Relates to State Employees; prohibits granting a preference based on race, gender or ethnicity when hiring to fill a position in state government.

TN H 1321 Sponsor: Camper (D)
Title: Department of Labor and Workforce Development
Status: Pending - Carryover
Summary: Relates to Department of Labor and Workforce Development; prohibits employers from using the credit report or credit history of an employee or applicant for employment to deny employment, discharge an employee or determine compensation of the terms, conditions or privileges of employment, but allows the credit report or history to be used if information in the credit report is substantially job-related and disclosed in writing to the employee or applicant.

TN H 448 Sponsor: Powers (R)
Title: Higher Education Equality Act
Status: Pending - Carryover
Summary: Relates to Education; relates to Higher; enacts the Higher Education Equality Act to prevent institutions of higher education from granting preferences based on race, gender or ethnicity to students, employees or contractors.

TN H 490 Sponsor: Jones S (D)
Title: Human Rights
Status: Pending - Carryover
Summary: Relates to Human Rights; adds sexual orientation and gender identity or expression to the list of characteristics protected from discrimination or harassment in employment, public accommodations, housing, and financing in the state.

TN S 11 Sponsor: Summerville (R)
Title: Principals and School Personnel
Status: Failed
Summary: Relates to Teachers, Principals and School Personnel; prohibits directors of schools from giving candidates for employment preference based on race, gender or ethnicity.

TN S 114 Sponsor: Summerville (R)

Title: State Employees
Status: Pending - Carryover
Summary: Relates to state employees; prohibits granting a preference based on race, gender or ethnicity when hiring to fill a position in state government.

TN S 1177 Sponsor: Summerville (R)
Title: Principals and School Personnel
Status: Pending - Carryover
Summary: Relates to Teachers, Principals and School Personnel; prohibits directors of schools from discriminating or giving candidates for employment preference based on race, gender or ethnicity.

TN S 1216 Sponsor: Ford O (D)
Title: Human Rights
Status: Pending - Carryover
Summary: Relates to Human Rights; adds sexual orientation and gender identity or expression to the list of characteristics protected from discrimination or harassment in employment, public accommodations, housing, and financing in the state.

TN S 699 Sponsor: Tate (D)
Title: Department of Labor and Workforce Development
Status: Pending - Carryover
Summary: Relates to Department of Labor and Workforce Development; prohibits employers from using the credit report or credit history of an employee or applicant for employment to deny employment, discharge an employee or determine compensation of the terms, conditions or privileges of employment, but allows the credit report or history to be used if information in the credit report is substantially job-related and disclosed in writing to the employee or applicant.

TEXAS

TX H 1146 Sponsor: Johnson (D)
Title: Prohibition of Employment Discrimination
Status: Failed - Adjourned
Summary: Relates to the prohibition of employment discrimination on the basis of sexual orientation or gender identity or expression.

TX H 23 b Sponsor: Thompson S (D)
Title: Unlawful Employment Practices
Status: Failed - Adjourned
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.

TX H 238 Sponsor: Villarreal (D)
Title: Prohibition of Employment Discrimination
Status: Failed - Adjourned
Summary: Relates to the prohibition of employment discrimination on the basis of sexual orientation or gender identity or expression; includes discrimination by employment agencies or labor organizations.

TX H 298 Sponsor: Rodriguez E (D)
Title: Texas Workforce Commission
Status: Failed - Adjourned
Summary: Relates to prohibiting employer retaliation against employees who seek recovery of unpaid wages and procedures in wage claim hearings conducted by the Texas Workforce Commission; provides administrative penalties.

TX H 3739 Sponsor: Burnam (D)
Title: Employment of Municipal Employees for Public Office
Status: Enacted
Summary: Relates to the continued employment of municipal employees who become candidates for public office; provides for prohibited actions; prohibits disciplinary action or termination of such candidate.

TX H 3817 Sponsor: Collier (D)
Title: Unlawful Retaliation as Employment Practice

Status: Failed - Adjourned
Summary: Relates to retaliation as an unlawful employment practice.

TX H 667 Sponsor: Martinez (D)
Title: Unlawful Employment Practice
Status: Failed - Adjourned
Summary: Relates to an unlawful employment practice for an employer whose leave policy does not permit an employee to use leave to care for the employee's foster child.

TX H 851 Sponsor: Lucio E (D)
Title: Job Applicant Credit Information
Status: Failed - Adjourned
Summary: Relates to a limitation on the use by state agencies of credit information regarding certain job applicants.

TX H 950 Sponsor: Thompson S (D)
Title: Unlawful Employment Practices
Status: Vetoed
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.

TX S 121 Sponsor: Rodriguez Jo (D)
Title: Whistle Blower Protection
Status: Failed - Adjourned
Summary: Relates to prohibited retaliation against certain state or local public employees for reporting to certain persons violations of law.

TX S 1743 Sponsor: Rodriguez Jo (D)
Title: Prohibiting Employer Retaliation
Status: Failed - Adjourned
Summary: Relates to prohibiting employer retaliation against employees who seek recovery of unpaid wages and procedures in wage claim hearings conducted by the Texas Workforce Commission; provides administrative penalties.

TX S 1798 Sponsor: Watson (D)
Title: Obstruction or Retaliation Offense
Status: Failed - Adjourned
Summary: Relates to the prosecution of the offense of obstruction or retaliation; provides penalties.

TX S 237 Sponsor: Van de Putte (D)
Title: Employment Discrimination
Status: Failed - Adjourned
Summary: Relates to the prohibition of employment discrimination on the basis of sexual orientation or gender identity or expression.

TX S 248 Sponsor: Davis W (D)
Title: Unlawful Employment Practices
Status: Failed - Adjourned
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.

TX S 248 Sponsor: Davis W (D)
Title: Unlawful Employment Practices
Status: Failed - Adjourned
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.

TX S 28 b Sponsor: Davis W (D)
Title: Unlawful Employment Practices
Status: Failed - Adjourned
Summary: Relates to unlawful employment practices regarding discrimination in payment of compensation.

UTAH

UT H 100 Sponsor: Barlow (R)

Title: Labor in General and Higher Education

Status: Enacted

Summary: Enacts the Internet Employment Privacy Act; provides that an employer may not request an employee or an applicant for employment to disclose a username and password, or a password that allows access to the employee's or applicant's personal Internet account or otherwise penalize an employee or applicant for a failure to disclose such information; provides for private rights of action; prohibits similar actions by a postsecondary institution and provides for private rights of action.

UT H 132 Sponsor: Wiley (D)

Title: Utah Antidiscrimination Act

Status: Failed

Summary: Modifies the Utah Antidiscrimination Act to address discrimination on the basis of weight or height; addresses definitions; addresses Powers of the division related to discrimination on the basis of weight or height; includes weight or height as a class from which the commissioner may appoint members of the Antidiscrimination and Labor Advisory Council; prohibits weight or height as the basis for discriminatory or prohibited employment practices.

UT S 142 Sponsor: Thatcher (R)

Title: Blacklisting

Status: Enacted

Summary: Repeals provisions relating to blacklisting; repeals a provision prohibiting blacklisting a former employee; repeals a provision establishing a criminal penalty for blacklisting.

UT S 262 Sponsor: Urquhart (R)

Title: Utah Antidiscrimination and Fair Housing Acts

Status: Failed

Summary: Modifies the Utah Antidiscrimination Act and the Utah Fair Housing Act to address discrimination, including discrimination on the basis of sexual orientation and gender identity; modifies definition provisions related to employment and housing discrimination, including defining gender identity and sexual orientation; modifies powers of division; includes sexual orientation and gender identity as a consideration in appointments to the Antidiscrimination and Labor Advisory Council.

UT S 95 Sponsor: Reid (R)

Title: Grievance Procedure Provisions

Status: Enacted

Summary: Modifies grievance procedure provisions and the Utah Protection of Public Employees Act to address protections for employees who report certain wasteful or wrongful actions; defines terms; empowers the Career Service Review Office to review a grievance by a public entity employee who alleges that adverse action was taken against the public entity employee in retaliation for reporting wasteful or wrongful actions; outlines the grievance procedure for a public entity employee.

VERMONT

VT H 280 Sponsor: Moran (D)

Title: Payment of Wages

Status: Enacted

Summary: Relates to payment of wages; includes the weekly payment of wages, the procedures governing investigations of unpaid wages, employer fines for nonpayment of wages and benefits, procedures governing a related civil action, and prohibiting retaliation.

VT H 99 Sponsor: Krowinski (D)

Title: Equal Pay

Status: Enacted

Summary: Clarifies and strengthens existing laws regarding equal pay and the prohibition of discrimination in employment, housing, and public accommodations; relates to government contracts and equal pay; prohibits retaliation or discrimination regarding mothers nursing in the workplace; requires unpaid leave for attendance at an annual town meeting;

adds provisions regarding flexible working arrangement; authorizes related civil actions; creates a paid family leave study committee.

VIRGINIA

VA H 2021 Sponsor: LeMunyon (R)

Title: Public Employment

Status: Failed

Summary: Relates to public employment; relates to nondiscrimination; prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to skills, knowledge, or ability; contains technical amendments.

VA H 2133 Sponsor: Keam (D)

Title: Employment Discrimination

Status: Failed

Summary: Relates to employment discrimination; relates to current employment status; provides that no employer employing more than five but fewer than 15 persons shall fail or refuse to hire an individual on the basis of the individual's current employment status; provides that the bill provides that it is an unfair discriminatory practice for any person to include an employment status requirement in a job advertisement or to otherwise require, directly or indirectly, an individual to have a specific employment.

VA S 483 Sponsor: Favola (D)

Title: Asbestos Workers

Status: Failed

Summary: Relates to asbestos workers; relates to violations; relates to penalties; requires the Commissioner of Labor and Industry to maintain a registry of employee complaints alleging the existence or imminent threat of an asbestos NESHAP violation; The measure prohibits employers from discharging or otherwise penalizing an employee who files a complaint in good faith; provides that an employee who is subject to retaliation may bring an action against the employer for reinstatement and other remedies.

VA S 701 Sponsor: McEachin (D)

Title: Government Employment

Status: Failed

Summary: Relates to nondiscrimination in state employment; prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974; defines sexual orientation.

WASHINGTON

WA H 1573 Sponsor: Harris (R)

Title: Licensed Chiropractors

Status: Pending - Carryover

Summary: Allows chiropractors to perform sports physicals for school athletes and physical examinations for commercial driver's licenses; prohibits school districts from discriminating against chiropractors; prohibits state and local governments from contracting with the State Interscholastic Activities Association if it discriminates against chiropractors.

WA S 5211 Sponsor: Hobbs (D)

Title: Social Networking Accounts and Profiles

Status: Enacted

Summary: Relates to employment practice; requires an employer cannot require any employee or prospective employee to submit any password or other related account information in order to gain access to the individual's personal social networking website account or profile, compel or coerce an employee or applicant to add a person to the list of contacts associated with the account, or take adverse action for failure to perform certain related functions for the employer; provides actions the employer may take.

WA S 5536 Sponsor: Conway (D)

Title: Marine Employees Commission

Status: Pending - Carryover

Summary: Removes the June 30, 2013, expiration of the marine employees' commission; creates the Marine Employees' Commission within the Public Employment Relations Commission; provides that all unfair labor practice complaints, questions concerning representation, and unit clarifications must be filed with the Public Employment Relations Commission and processed in accordance with the Commission's rules.

WA S 5577 Sponsor: Carrell (R)

Title: Public Employee Ethics Complaints

Status: Enacted

Summary: Protects public employees who act ethically and legally; provides that a state employee who files a complaint with an ethics board shall be afforded the protection afforded to a whistleblower under specified provisions; prohibits retaliation against such employee; provides for civil penalties; permits an ethics board to request the assistance of the office of attorney general or a contract investigator in conducting an investigation; exempts the identity of a complainant from public disclosure.

WA S 5594 Sponsor: Harper (D)

Title: Standards for Sick and Safe Leave from Employment

Status: Pending - Carryover

Summary: Provides minimum requirements for sick and safe leave from employment; allows an employee to use sick leave for their own or a family member's illness, injury, or other health condition; allows the use of safe leave when there is a public health hazard at an employee's place of work or child's school, or to address domestic violence issues; prohibits retaliation against employees who ask for or use sick or safe leave; requires employers to keep records that indicate accrued and used sick and safe leave.

WA S 5839 Sponsor: Kline (D)

Title: Protection of Employees

Status: Pending - Carryover

Summary: Creates a cause of action for the protection of employees acting in furtherance of public policy.

WEST VIRGINIA

WV H 2408 Sponsor: Fleischauer (D)

Title: Gender Balance

Status: Failed - Adjourned

Summary: Requires all state boards, commissions, committees or councils to be gender balanced and to have proportionate representation of minorities.

WV S 135 Sponsor: Yost (D)

Title: Equal Pay Coordinator Within Division of Personnel

Status: Failed - Adjourned

Summary: Creates Equal Pay Coordinator within Division of Personnel.

WISCONSIN

WI A 247 Sponsor: Thiesfeldt (R)

Title: Limitations on Requiring and Requesting Vaccination

Status: Pending

Summary: Relates to limitations on requiring and requesting vaccination against influenza.

WI A 269 Sponsor: Sinicki (D)

Title: Employment Discrimination

Status: Pending

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.

WI A 42 Sponsor: Kestell (R)

Title: Milwaukee Public Schools

Status: Pending

Summary: Prohibits the Milwaukee Public Schools from imposing residency requirements on teachers.

WI S 143 Sponsor: Hansen (D)
Title: Circuit Court
Status: Pending
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.

WI S 401 Sponsor: Harris (D)
Title: Reasonable Accommodation of Pregnant Employees
Status: Pending
Summary: Relates to reasonable accommodation of any condition of an employee that is related to pregnancy or childbirth and of an employee's inability to adequately undertake the job-related responsibilities of a particular job because of pregnancy, childbirth, or a related condition; provides that discrimination includes refusing such accommodations as necessary for the employee, and requiring a employee to take any form of leave, unless either or both are a hardship on the employer; authorizes employee transfers.

WYOMING

WY H 46 Sponsor: Byrd (D)
Title: Fair Employment Practices
Status: Failed - Adjourned
Summary: Relates to fair employment practices; defines discriminatory and unfair employment practices to include actions based on political affiliation; provides that discriminatory and unfair employment practices include retaliatory acts as specified; provides for an effective date.

WY H 94 Sponsor: Reeder (R)
Title: Wyoming Pharmacy Act
Status: Enacted
Summary: Amends authority of pharmacists to administer immunizations; provides that a pharmacist may administer immunizations for individuals age 7 and older in a private space utilized for counseling and administering immunizations to ensure patient safety and confidentiality; provides that parental consent shall be required for prescriptions for immunizations and for administration of immunizations for any minor child; provides for recording in the immunization registry; prohibits employer discrimination.

Source: State Net 50-state bill tracking year-end search 2013