

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4327**

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 202 (MCL 37.2202), as amended by 1991 PA 11.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 202. (1) An employer shall not do any of the following:
- 2 (a) Fail or refuse to hire or recruit, discharge, or otherwise
- 3 discriminate against an individual with respect to employment,
- 4 compensation, or a term, condition, or privilege of employment,
- 5 because of religion, race, color, national origin, age, sex,
- 6 height, weight, or marital status.
- 7 (b) Limit, segregate, or classify an employee or applicant for
- 8 employment in a way that deprives or tends to deprive the employee
- 9 or applicant of an employment opportunity, or otherwise adversely

1 affects the status of an employee or applicant because of religion,
2 race, color, national origin, age, sex, height, weight, or marital
3 status.

4 (c) Segregate, classify, or otherwise discriminate against a
5 person on the basis of sex with respect to a term, condition, or
6 privilege of employment, including, but not limited to, a benefit
7 plan or system.

8 ~~—— (d) Until January 1, 1994, require an employee of an~~
9 ~~institution of higher education who is serving under a contract of~~
10 ~~unlimited tenure, or similar arrangement providing for unlimited~~
11 ~~tenure, to retire from employment on the basis of the employee's~~
12 ~~age. As used in this subdivision, "institution of higher education"~~
13 ~~means a public or private university, college, community college,~~
14 ~~or junior college located in this state.~~

15 (D) TREAT AN INDIVIDUAL AFFECTED BY PREGNANCY, CHILDBIRTH, OR
16 A RELATED MEDICAL CONDITION DIFFERENTLY FOR ANY EMPLOYMENT-RELATED
17 PURPOSE FROM ANOTHER INDIVIDUAL WHO IS NOT SO AFFECTED BUT SIMILAR
18 IN ABILITY OR INABILITY TO WORK, WITHOUT REGARD TO THE SOURCE OF
19 ANY CONDITION AFFECTING THE OTHER INDIVIDUAL'S ABILITY OR INABILITY
20 TO WORK. FOR PURPOSES OF THIS SUBDIVISION, A MEDICAL CONDITION
21 RELATED TO PREGNANCY OR CHILDBIRTH DOES NOT INCLUDE NONTHERAPEUTIC
22 ABORTION NOT INTENDED TO SAVE THE LIFE OF THE MOTHER.

23 (2) This section ~~shall not be construed to~~ DOES NOT prohibit
24 the establishment or implementation of a bona fide retirement
25 policy or system that is not a subterfuge to evade the purposes of
26 this section.

27 (3) This section does not apply to the employment of an

1 individual by his or her parent, spouse, or child.