

SENATE BILL NO. 335

May 21, 2019, Introduced by Senators HERTEL, MOSS, POLEHANKI, ALEXANDER, GEISS, WOJNO, IRWIN, MCMORROW, BRINKS, HOLLIER, MCCANN, BAYER, BULLOCK, SANTANA, ANANICH and CHANG and referred to the Committee on Government Operations.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 202 (MCL 37.2202), as amended by 2009 PA 190.

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,

1 because of religion, race, color, national origin, age, sex,
2 height, weight, or marital status.

3 (b) Limit, segregate, or classify an employee or applicant for
4 employment in a way that deprives or tends to deprive the employee
5 or applicant of an employment opportunity, or otherwise adversely
6 affects the status of an employee or applicant because of religion,
7 race, color, national origin, age, sex, height, weight, or marital
8 status.

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

13 (d) Treat an individual affected by pregnancy, childbirth, or
14 a related medical condition differently for any employment-related
15 purpose from another individual who is not so affected but similar
16 in ability or inability to work, without regard to the source of
17 any condition affecting the other individual's ability or inability
18 to work. For purposes of this subdivision, a medical condition
19 related to pregnancy or childbirth does not include nontherapeutic
20 abortion not intended to save the life of the mother.

21 **(e) Ask a job applicant for information related to the job**
22 **applicant's past compensation or otherwise seek information related**
23 **to a job applicant's past compensation.**

24 (2) This section does not prohibit the establishment or
25 implementation of a bona fide retirement policy or system that is
26 not a subterfuge to evade the purposes of this section.

27 (3) This section does not apply to the employment of an
28 individual by his or her parent, spouse, or child.

29 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.