

# SENATE BILL NO. 329

March 25, 2021, Introduced by Senators HERTEL, MOSS, IRWIN, MCCANN, ANANICH, BRINKS, SANTANA, BAYER, HOLLIER, POLEHANKI, BULLOCK, WOJNO, ALEXANDER, GEISS and CHANG and referred to the Committee on Economic and Small Business Development.

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,
- 5 because of religion, race, color, national origin, age, sex,

1 height, weight, or marital status.

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

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

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

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

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

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

28 Enacting section 1. This amendatory act takes effect 90 days  
29 after the date it is enacted into law.