

# SENATE BILL No. 324

April 25, 2017, Introduced by Senators HERTEL, WARREN, KNEZEK, HOOD,  
ANANICH, HOPGOOD, GREGORY, JOHNSON, YOUNG and BIEDA 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,  
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

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

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

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

17 **(E) ASK A JOB APPLICANT FOR INFORMATION RELATED TO THE JOB**  
18 **APPLICANT'S PAST COMPENSATION OR OTHERWISE SEEK INFORMATION RELATED**  
19 **TO A JOB APPLICANT'S PAST COMPENSATION.**

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

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

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