

**SUBSTITUTE FOR
HOUSE BILL NO. 6226**

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
10 affects the status of an employee or applicant because of religion,

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

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

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

14 **(E) TREAT AN INDIVIDUAL AFFECTED BY PREGNANCY, CHILDBIRTH, OR**
15 **A RELATED MEDICAL CONDITION DIFFERENTLY FOR ANY EMPLOYMENT RELATED**
16 **PURPOSE FROM ANOTHER INDIVIDUAL NOT SO AFFECTED BUT SIMILAR IN**
17 **ABILITY OR INABILITY TO WORK, WITHOUT REGARD TO THE SOURCE OF ANY**
18 **CONDITION AFFECTING THE OTHER INDIVIDUAL'S ABILITY OR INABILITY TO**
19 **WORK.**

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

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