

# HOUSE BILL NO. 4450

May 06, 2025, Introduced by Reps. T. Carter, Glanville, Brixie, Weiss, Andrews, Martus, Hope, Rogers, Xiong, B. Carter, Foreman, Rheingans, Neeley, Tsernoglou, MacDonell, Young, Pohutsky, Arbit, Steckloff, Mentzer, Conlin, Longjohn, Wegela, McKinney, Dievendorf, McFall, Byrnes, Wilson, Myers-Phillips, Price, Breen, Wooden and Tate and referred to Committee on Economic Competitiveness.

A bill to prohibit employers from making employment decisions based on certain physical characteristics, appearance, or fitness; to prohibit retaliation; and to provide remedies.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act may be cited as the "respect for physical  
2 differences act".

3       Sec. 3. As used in this act:

4       (a) "Appearance" includes any of the following:

5       (i) An expression of an individual's gender, sexual

1 orientation, or gender identity.

2 (ii) A religious or ethnic hairstyle or hair length.

3 (iii) A religious or ethnic headdress or headwear, including,  
4 but not limited to, a veil, hijab, yarmulke, or shtreimel.

5 (iv) Facial hair.

6 (v) Clothing style.

7 (b) "Employee" means an individual who receives compensation  
8 for performing services for an employer under an express or implied  
9 contract of hire.

10 (c) "Employer" means an individual or entity that permits 1 or  
11 more individuals to work, or that accepts applications for  
12 employment, or is an agent of an employer.

13 Sec. 5. (1) Subject to subsection (2), an employer shall not  
14 discharge, fail or refuse to hire or recruit, or otherwise  
15 discriminate against an individual with respect to employment,  
16 compensation, or a term, condition, or privilege of employment  
17 because of the individual's body type, degree of physical fitness,  
18 appearance, or other physical characteristic.

19 (2) The prohibition in subsection (1) does not apply to a body  
20 type, degree of physical fitness, appearance, or other physical  
21 characteristic that is an established, bona fide occupational  
22 requirement or that impairs an employment activity or  
23 responsibility of a particular employee or a particular group of  
24 employees. The employer bears the burden of establishing that the  
25 body type, degree of physical fitness, appearance, or other  
26 physical characteristic is reasonably necessary to the position,  
27 group, or occupation.

28 Sec. 7. A person shall not retaliate or discriminate against  
29 another person because the other person has done or was about to do

1 any of the following:

2 (a) File a complaint under this act.

3 (b) Testify, assist, or participate in an investigation,  
4 proceeding, or action concerning a violation of this act.

5 (c) Oppose a violation of this act.

6 Sec. 9. An employer shall not require an applicant for  
7 employment or employee to waive any right under this act. An  
8 agreement by an applicant or employee to waive any right under this  
9 act is void and unenforceable.

10 Sec. 11. (1) A person that is injured by a violation of this  
11 act may bring a civil action to obtain injunctive relief or  
12 damages, or both.

13 (2) The court shall award costs and reasonable attorney fees  
14 to a person who prevails as a plaintiff in an action authorized  
15 under subsection (1).

16 Sec. 13. This act applies to a collective bargaining agreement  
17 or employment agreement entered into, renewed, or extended on or  
18 after the effective date of this act.