

SENATE BILL No. 426

May 4, 1989, Introduced by Senator VAUGHN and referred to the Committee on Human Resources and Senior Citizens.

A bill to amend section 202 of Act No. 453 of the Public Acts of 1976, entitled as amended
"Elliott-Larsen civil rights act,"
being section 37.2202 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 202 of Act No. 453 of the Public Acts of
2 1976, being section 37.2202 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 202. (1) An employer shall not DO ANY OF THE
5 FOLLOWING:

6 (a) Fail or refuse to hire, ~~or~~ recruit, ~~or~~ discharge, or
7 otherwise discriminate against an individual with respect to
8 employment, compensation, or a term, condition, or privilege of
9 employment, because of religion, race, color, national origin,
10 age, sex, height, weight, or marital status.

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

7 (c) Segregate, classify, or otherwise discriminate against a
8 person on the basis of sex with respect to a term, condition, or
9 privilege of employment, including a benefit plan or system.

10 (D) REQUIRE AN EMPLOYEE TO RETIRE FROM EMPLOYMENT ON THE
11 BASIS OF THE EMPLOYEE'S AGE.

12 (2) This section shall not be construed to prohibit the
13 establishment or implementation of a bona fide retirement policy
14 or system which is not a subterfuge to evade the purposes of this
15 section, EXCEPT THAT SUCH A RETIREMENT POLICY OR SYSTEM SHALL NOT
16 EXCUSE THE FAILURE TO HIRE, OR REQUIRE OR PERMIT THE INVOLUNTARY
17 RETIREMENT OF, AN INDIVIDUAL BECAUSE OF THE INDIVIDUAL'S AGE.

18 (3) This section shall not apply to the employment of an
19 individual by his or her parent, spouse, or child.

20 (4) THIS SECTION SHALL NOT PREVENT THE STATE OR A POLITICAL
21 SUBDIVISION OF THE STATE FROM IMPOSING A MANDATORY RETIREMENT AGE
22 FOR POLICE OFFICERS OR FIRE FIGHTERS.