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Act No. 80 (S. 103). An act relating to amending the prohibitions against discrimination

Subjects: Labor; employment practices; discrimination; equal pay; agreements not to compete; fair employment; public accommodations

This act amends the Fair Employment Practices Act to:

- prohibit pay discrimination on the basis of race, national origin, sexual orientation, gender identity, and disability;
- prohibit agreements to settle a claim of employment discrimination from including a provision that prevents the employee from working for the employer or an affiliate of the employer in the future;
- provide that harassment and discrimination need not be severe or pervasive to be unlawful;
- provide that, except when an employee is alleging pay discrimination or disparate impact discrimination, the employee is not required to identify another employee to whom the employee's treatment can be compared for purposes of showing that unlawful discrimination occurred; and
- define and provide statutory direction on the interpretation of the term "harass" for purposes of employment discrimination.

This act also amends the Fair Housing and Public Accommodations Act to:

- define and provide statutory direction on the interpretation of the term "harass" for purposes of public accommodations discrimination; and
- provide that harassment and discrimination need not be severe or pervasive to be unlawful.

Effective Date: July 1, 2023