

1 SB342
2 189869-1
3 By Senators Coleman-Madison and Dunn
4 RFD: Governmental Affairs
5 First Read: 30-APR-19

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8 SYNOPSIS: This bill would prohibit discrimination
9 against certain state employees or prospective
10 state employees on the basis of race, color,
11 religion, national origin, ethnicity, sex, sexual
12 orientation, gender identity or expression,
13 disability, or age.

14 This bill would also provide that a
15 violation of this act does not authorize a state
16 employee or prospective state employee to pursue a
17 private cause of action against the state or any
18 state employee.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 Relating to employment discrimination; to prohibit
25 discrimination against certain state employees or prospective
26 state employees on the basis of race, color, religion,
27 national origin, ethnicity, sex, sexual orientation, gender

1 identity or expression, disability, or age; and to provide
2 that a violation of this act does not authorize a state
3 employee or prospective state employee to pursue a private
4 cause of action against the state or any state employee.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The Legislature acknowledges that Alabama
7 is a diverse state with people of many different faiths,
8 races, ages, interests, and passions. The beliefs of the
9 state's citizens are strong and sincerely held, and the
10 Legislature celebrates those beliefs, in particular the very
11 deeply felt religious convictions of many of our people. The
12 state and its residents are also a kind people, with a deep
13 sense of fairness and justice. It is this sense of justice
14 that requires the acknowledgement that, while there are many
15 beliefs and practices that we may, as individuals, disagree
16 with, it is nevertheless improper to use those beliefs as
17 grounds for discriminating against others in public employment
18 when our differences are unrelated to employment or a person's
19 ability to perform job-related tasks and duties.

20 Section 2. (a) It is an unlawful employment practice
21 to discriminate in the hiring, promotion, discipline, or
22 termination of any state employee or prospective state
23 employee on the basis of his or her race, color, religion,
24 national origin, ethnicity, sex, sexual orientation, gender
25 identity or expression, disability, or age.

26 (b) A state employee or prospective state employee
27 who has been discriminated against in violation of this

1 section shall have the right to file a complaint with the
2 State Personnel Department. The State Personnel Department may
3 adopt rules in accordance with the Administrative Procedure
4 Act to implement this section.

5 (c) Nothing in this section shall be construed to
6 authorize a state employee or a prospective state employee to
7 pursue a private cause of action or to subject the state or
8 any state employee to any civil damages, penalties, or other
9 liability due to a violation of this section.

10 Section 3. This act shall become effective on the
11 first day of the third month following its passage and
12 approval by the Governor, or its otherwise becoming law.