

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 276

By: Dahm

AS INTRODUCED

An Act relating to employment discrimination; amending 25 O.S. 2021, Sections 1101 and 1302, which relate to exclusive remedy and discriminatory practices; extending exclusive remedies to employment discrimination based on vaccination and immunity status; establishing certain adverse acts based on vaccination and immunization status as discriminatory practices; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 25 O.S. 2021, Section 1101, is amended to read as follows:

Section 1101. A. ~~This act~~ Section 1101 et seq. of this title provides for exclusive remedies within the state of the policies for individuals alleging discrimination in employment on the basis of race, color, national origin, sex, religion, creed, age, disability, ~~or~~ genetic information, vaccination status, or immunization status.

B. ~~This act~~ Section 1101 et seq. of this title shall be construed according to the fair import of its terms to further the general purposes stated in this section and the special purposes of the particular provision involved.

1 SECTION 2. AMENDATORY 25 O.S. 2021, Section 1302, is
2 amended to read as follows:

3 Section 1302. A. It is a discriminatory practice for an
4 employer:

5 1. To fail or refuse to hire, to discharge, or otherwise to
6 discriminate against an individual with respect to compensation or
7 the terms, conditions, privileges or responsibilities of employment,
8 because of race, color, religion, sex, national origin, age, genetic
9 information, vaccination status, immunization status, or disability,
10 unless the employer can demonstrate that accommodation for the
11 disability would impose an undue hardship on the operation of the
12 business of such employer; or

13 2. To limit, segregate, or classify an employee or applicant
14 for employment in a way which would deprive or tend to deprive an
15 individual of employment opportunities or otherwise adversely affect
16 the status of an employee, because of race, color, religion, sex,
17 national origin, age, genetic information, vaccination status,
18 immunization status, or disability, unless the employer can
19 demonstrate that accommodation for the disability would impose an
20 undue hardship on the operation of the business of such employer.

21 B. This section does not apply to the employment of an
22 individual by his or her parents, spouse, or child or to employment
23 in the domestic service of the employer.

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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