

HB 2614-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that it is unlawful for an employer to refuse to hire or to discharge an individual, or otherwise disadvantage an individual, with respect to compensation, terms, conditions, or privileges of employment because the individual engages in the consumption of lawful products off the premises of the employer during nonworking hours, provided the individual complies with applicable laws or policies regulating consumption of lawful products on the premises of the employer during working hours.

Declares that it is not unlawful or an unfair employment practice under this act for an employer to refuse to hire, discharge, or otherwise disadvantage an individual with respect to compensation, terms, conditions, or privileges of employment if that decision is based on: (1) The individual's failure to meet job-related standards set by the employer;

(2) An employer's legitimate conflict of interest policy reasonably designed to protect the employer's trade secrets, proprietary information, or other proprietary interests;

(3) A bona fide occupational qualification or requirement, including qualifications or requirements implemented by the employer to screen for respiratory diseases in occupations where the individual will be exposed to smoke and noxious fumes; or

(4) The employer's drug and alcohol free work place program, including those adopted in response to federal requirements.