

AMENDMENTS TO HOUSE BILL NO. 1394

Sponsor: REPRESENTATIVE MAYES

Printer's No. 1556

1 Amend Bill, page 1, lines 1 through 11, by striking out all
2 of said lines and inserting

3 Amending the act of October 27, 1955 (P.L.744, No.222), entitled
4 "An act prohibiting certain practices of discrimination
5 because of race, color, religious creed, ancestry, age or
6 national origin by employers, employment agencies, labor
7 organizations and others as herein defined; creating the
8 Pennsylvania Human Relations Commission in the Governor's
9 Office; defining its functions, powers and duties; providing
10 for procedure and enforcement; providing for formulation of
11 an educational program to prevent prejudice; providing for
12 judicial review and enforcement and imposing penalties,"
13 further providing for definitions.

14 Amend Bill, page 1, lines 14 through 20; page 2, lines 1
15 through 5; by striking out all of said lines on said pages and
16 inserting

17 Section 1. Section 4 of the act of October 27, 1955
18 (P.L.744, No.222), known as the Pennsylvania Human Relations
19 Act, is amended by adding clauses to read:

20 Section 4. Definitions.--As used in this act unless a
21 different meaning clearly appears from the context:

22 * * *

23 (bb) The term "race" includes traits associated with race,
24 including hair texture and protective hairstyles. Nothing in
25 this clause shall be construed to prohibit an employer from
26 adopting and enforcing an otherwise valid workplace health and
27 safety rule or policy provided the employer demonstrates all of
28 the following:

29 (1) Without the adoption of the rule or policy it is
30 reasonably certain that the health or safety of an employe or
31 other materially connected person will be impaired.

32 (2) The rule or policy is adopted for nondiscriminatory
33 reasons.

34 (3) The rule or policy is applied equally and does not have
35 a disproportionate adverse impact on a group of individuals

1 based on traits associated with race.

2 (4) The rule or policy is specifically tailored to the
3 applicable position and activity.

4 (cc) The term "protective hairstyle" includes, but is not
5 limited to, such hairstyles as locs, braids, twists, coils,
6 Bantu knots, afros and extensions.

7 Section 2. This act shall take effect in 60 days.