THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 46 Session of 2015

INTRODUCED BY WILLIAMS, HUGHES, COSTA, FONTANA AND TARTAGLIONE, JANUARY 14, 2015

REFERRED TO LABOR AND INDUSTRY, JANUARY 14, 2015

AN ACT

Prohibiting employers from using consumer reporting under certain circumstances; and providing for enforcement.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title. This act shall be known and may be cited as the Equal Employment for All Act.

Section 2. Prohibition. No employer or potential employer shall procure a consumer report or investigative consumer report, or cause a consumer report or investigative consumer report to be procured, for purposes of employment or making an adverse employment action if any information contained in the report bears on the employee's or potential employee's creditworthiness, credit standing or credit capacity, unless any of the following apply:

(1) The consumer applies for or currently holds employment that requires national security or Commonwealth security or Federal Deposit Insurance Corporation (FDIC)
clearance.

(2) The consumer applies for or currently holds employment with the Commonwealth or a local government agency which otherwise requires use of a consumer report.

(3) The consumer applies for or currently holds a supervisory, managerial, professional or executive position at a financial institution.

(4) The information is required by law.

Section 3. Enforcement.

A violation of section 2 shall constitute an unlawful discriminatory practice for purposes of section 5 of the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, and shall be subject to enforcement as provided under that act.

Section 4. Effective date.

This act shall take effect in 60 days.