

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 76

Session of
1979

INTRODUCED BY RICHARDSON, WHITE, IRVIS, WILLIAMS, SHADDING,
BARBER, DUMAS, OLIVER, EARLEY, HARPER, RHODES, GALLAGHER,
J. J. JOHNSON, COWELL, COHEN AND STREET, FEBRUARY 5, 1979

REFERRED TO COMMITTEE ON LABOR RELATIONS, FEBRUARY 5, 1979

AN ACT

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

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

15 Section 1. The act of October 27, 1955 (P.L.744, No.222),
16 known as the "Pennsylvania Human Relations Act," is amended by
17 adding a section to read:

18 Section 5.3. Discrimination on Account of Sickle Cell Trait
19 Prohibited.--(a) No person, State agency or political
20 subdivision shall deny or refuse employment to any person or
21 discharge any person from employment because he possesses sickle
22 cell trait or hemoglobin C trait. The term "sickle cell trait"

is the condition wherein the major natural hemoglobin components present in the blood of the individual are hemoglobin A (normal) and hemoglobin S (sickle hemoglobin) as defined by standard chemical and physical analytic techniques, including electrophoresis; and the proportion of hemoglobin A is greater than the proportion of hemoglobin S or one natural parent of the individual is shown to have only normal hemoglobin components (hemoglobin A, hemoglobin A2, hemoglobin F) in the normal proportions by standard chemical and physical analytic tests.

The term "hemoglobin C trait" is defined as the condition wherein the major natural hemoglobin components present in the blood of the individual are hemoglobin A (normal) and hemoglobin C as defined by standard chemical and physical analytic techniques, including electrophoresis; and the proportion of hemoglobin A is greater than the proportion of hemoglobin C or one natural parent of the individual is shown to have only normal hemoglobin components (hemoglobin A, hemoglobin A2, hemoglobin F) in the normal proportions by standard chemical and physical analytic tests.

(b) This section shall not be construed to give employment, promotion or layoff preference to persons who possess the above traits, or to prevent such persons being discharged for cause.

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