



SPONSOR: Rep. Michael Smith & Sen. Pettyjohn
Reps. Briggs King, Gray, Morris, Ramone, D. Short,
Shupe, Spiegelman, Vanderwende, Yearick; Sens.
Hocker, Lawson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 154

AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN
EMPLOYMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 711, Title 19 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 711. Unlawful employment practices; employer practices.

4 (q) Nothing in this subchapter shall affect the ability of an employer to require employees to adhere to reasonable
5 workplace appearance, grooming and dress standards not precluded by other provisions of state or federal law, except that
6 an employer shall allow an employee to appear, groom and dress consistent with the employee's gender identity.

7 (r) It shall be an unlawful employment practice for an employer to:

8 (1) Fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual
9 with respect to compensation, terms, conditions, or privileges of employment because of such individual's political
10 affiliation or political belief.

11 (2) Limit, segregate, or classify employees in any way which would deprive or tend to deprive any
12 individual of employment opportunities or otherwise adversely affect the individual's status as an employee
13 because of such individual's political affiliation or political belief.

14 (3) Notwithstanding the provisions of paragraphs (1) and (2) of this subsection, it shall not be an unlawful
15 employment practice if the employer can demonstrate that political affiliation or political belief is a bona fide
16 occupational qualification for the position that such individual holds or desires, or is required by law, or is
17 reasonably necessary to the normal operation of that particular business or enterprise.

18 Section 2. Amend § 710, Title 19 of the Delaware Code by making deletions as shown by strike through and
19 insertions as shown by underline as follows:

20 § 710. Definitions.

21 For the purposes of this subchapter:

- 22 () “Political affiliation” means membership of or close association with a political party or organization.
- 23 () “Political belief” means a person’s own value judgment of what is or what should be concerning the body
- 24 politic, including stances on individual issues concerning the body politic.

SYNOPSIS

This Act makes it an unlawful employment practice for an employer to discriminate against any individual because of their political affiliation or political belief.