

WORKLIFE LAW'S STATE FRD LEGISLATION TRACKER

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Existing Law

Family responsibilities discrimination (FRD) is currently prohibited under an array of theories in existing state and federal laws. To date, however, only one state and the District of Columbia, as well as a number of localities, *expressly* include family responsibilities as a protected category in their laws prohibiting employment discrimination. In addition, two other states and a federal executive order expressly prohibit some forms of FRD. These existing laws are described below. (Click citations for links to text of each.)

- Alaska includes “parenthood” in its employment discrimination protections ([Alaska Statute § 18.80.220](#)).
- The District of Columbia includes “family responsibilities” in its employment discrimination protections ([D.C. Human Rights Act §§ 2-1401.01, 2-1401.02\(12\), 2-1402.11](#)).
- At least 63 localities (cities and counties) in 22 states include “familial status,” “family responsibilities,” “parenthood,” or “parental status” in their employment discrimination protections. (See [WorkLife Law’s report on local FRD laws](#) for details.)

Also:

- Connecticut prohibits employers from requesting or requiring information relating to “child-bearing age or plans, pregnancy,...[or] familial responsibilities” from an applicant or employee ([Conn. General Statute § 46a-60\(a\)\(9\)](#)).
- New Jersey state employees are protected from employment discrimination on the basis of “familial status” ([New Jersey Administrative Code 4A:7-3.1](#)).
- Federal government employees are protected from employment discrimination on the basis of “status as a parent” ([Federal Executive Order 11478, as amended by EO 13152](#)).

Pending Legislation

Several states are currently considering or have considered legislation to explicitly prohibit FRD, as shown in the charts that follow. (Click bill numbers or status information for links to legislative web pages.)

Pending Legislation as of 2010

State	Bill Number/Link	Employment discrimination prohibited based on:	Status/Link	Related Bills in Prior Sessions
Maryland	2010 MD H.B. 463	"family responsibilities"	Active—referred to committee	
New Jersey	2010 NJ A.B. 684	"familial status" (also includes reasonable accommodations for pregnancy and pregnancy-related conditions)	Active—referred to committee	2008-09 S.B. 234; 2008-09 A.B. 2292 2006-07 S.B. 1075; 2006-07 A.B. 2255 2005 S.B. 2252; 2005 A.B. 4157
New York	2009 NY A.B. 6333	"family responsibilities," defined as "the legal responsibility to care for a child"	Active—referred to committee	2007-08 A.B. 3214 2005 A.B. 2539
Pennsylvania	2009 PA S.B. 280 ; 2009 PA H.B. 280	"familial status" and "marital status"	Active—S.B. referred to committee Active—H.B. referred to committee	2007-08 S.B. 280; 2007-08 H.B. 280 2005-06 S.B. 440; 2005-06 H.B. 352

Also:

Arizona	2010 AZ H.B. 2460	prohibits an employer from terminating or threatening to terminate a parent, guardian, or custodian who—when notified of an emergency by a school employee, community worker, or law enforcement official—leaves work to attend to a child's emergency.	Active—assigned to committee	2009 AZ H.B. 2475
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Prior Session Legislation Currently Inactive

State	Bill Number/Link	Employment discrimination prohibited based on:	Status/Link	Related Bills in Prior Sessions
California	2009 CA A.B. 1001	"familial status," defined for employment purposes as "having or providing care for" a child, domestic partner, grandchild, grandparent, parent, parent in-law, sibling, or spouse, as further defined	Died due to failure to pass out of the Assembly by 1/31/10	Similar to, but not the same as, 2007 S.B. 836, introduced by different author (see below)
	2007 CA S.B. 836	"familial status," defined for employment purposes as "being an individual who is or who will be caring for or supporting a family member," as further defined	Passed through entire legislature, but vetoed by Governor 10/13/07; Veto sustained, stricken from file 1/14/08	
Florida	2009 FL S.B. 2012; 2009 FL H.B. 397	"familial status" and "pregnancy" (also includes sexual orientation and gender identity or expression)	Died—S.B. postponed and withdrawn from consideration 5/2/09 Died—H.B. postponed and withdrawn from consideration 5/2/09	2007-08 S.B. 572; 2007-08 H.B. 191 2007 S.B. 2628; 2007 H.B. 639
Iowa	2007 IA H.F. 532	"marital or family status"	Stalled after referred to Judiciary Subcommittee 2/27/07	
Maine	2009 ME L.D. 962/ H.P. 664	"family caregiver status," defined as "a person who cares for a family member," further defined as "a person's child, parent, spouse, domestic partner...or sibling..."	Died on adjournment 6/13/09	
Michigan	2007 MI S.B. 462	"familial status"	Stalled after referred to Committee on Commerce and Tourism 4/26/07	

Also:

New York City	2007 NYC Int 565	"caregiver status," defined as "a contributor to the ongoing care of a child...or of...persons in a dependent relationship with the caregiver and who suffer from a disability, irrespective of their number"; "dependent relationship" defined as "the relationship of a caregiver to a person who is related by blood, legal custody, marriage, or to his or her domestic partner,...or to a person with whom the caregiver lives in a familial relationship"	Not acted on by end of session (Sine die) 12/31/09	
Montana	2007 MT H.B. 213	to add "family responsibilities" (among other categories) as a basis for a hostile work environment employment discrimination claim	Died in Standing Committee 4/27/2007	