**5115-S AMS KEIS S1342.1 - NOT FOR FLOOR USE**

**SSB 5115** - S AMD **108**

By Senator Keiser

**ADOPTED 02/23/2021**

On page 7, line 3, after "(6)" insert "(a) During a public health emergency, no employer may discharge, permanently replace, or in any manner discriminate against an employee who is high risk as a result of the employee:

(i) Seeking accommodation that protects them from the risk of exposure to the infectious or contagious disease; or

(ii) If no accommodation is reasonable, utilizing all available leave options, including but not limited to leave without pay and unemployment insurance, until completion of the public health emergency or accommodation is made available.

(b) This subsection (6) does not alter or diminish any existing remedy available to the worker under current state or federal law.

(c) For the purposes of this subsection (6), "an employee who is high risk" means an employee who:

(i) Due to age or an underlying health condition, is at a high risk of severe illness from the disease that is the subject of the public health emergency, as defined by the centers for disease control and prevention; and

(ii) A medical provider has recommended the employee's removal from the workforce because of their high risk of severe illness.

(7)"

Correct any internal references accordingly.

EFFECT: Prohibits discrimination against an employee who is high risk for the infectious or contagious disease that is the subject of a public health emergency for seeking accommodation that protects them from the disease or utilizing all available leave options if no accommodation is reasonable.