

SSB 5115 - S AMD 108
By Senator Keiser

ADOPTED 02/23/2021

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

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

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

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

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

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

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

21 (7) "

22 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.

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