

Sixty-fourth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1463**

Introduced by

Representatives Muscha, Beadle, Mitskog, Mooney, Oversen, Schneider, Toman, Wallman

Senators Dotzenrod, Oban

1 A BILL for an Act to amend and reenact section 14-02.4-03 of the North Dakota Century Code,  
2 relating to reasonable accommodations in the workplace for pregnancy.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 14-02.4-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **14-02.4-03. Employer's discriminatory practices.**

7 1. It is a discriminatory practice for an employer to fail or refuse to hire a ~~person~~an  
8 individual; to discharge an employee; or to accord adverse or unequal treatment to a  
9 ~~person~~an individual or employee with respect to application, hiring, training,  
10 apprenticeship, tenure, promotion, upgrading, compensation, layoff, or a term,  
11 privilege, or condition of employment, because of race, color, religion, sex, national  
12 origin, age, physical or mental disability, status with respect to marriage or public  
13 assistance, or participation in lawful activity off the employer's premises during  
14 nonworking hours which is not in direct conflict with the essential business-related  
15 interests of the employer.

16 2. It is a discriminatory practice for an employer to fail or refuse to make reasonable  
17 accommodations for an otherwise qualified ~~person~~individual with a physical or mental  
18 disability, because that individual is pregnant, or because of that ~~person's~~individual's  
19 religion.

20 3. This chapter does not prohibit compulsory retirement of any employee who has  
21 attained sixty-five years of age, but not seventy years of age, and who, for the  
22 two-year period immediately before retirement, is employed in a bona fide executive or  
23 high policymaking position, if the employee is entitled to an immediate nonforfeiture  
24 annual retirement benefit from a pension, profit-sharing, savings, or deferred

- 1 compensation plan, or any combination of those plans, of the employer of the
- 2 employee, which equal, in the aggregate, at least forty-four thousand dollars.