

Assembly Bill 400

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**CHAPTER 230**

AN ACT to amend 111.31 and 111.32 (5) (a) and to create 111.32 (5) (f) of the statutes, relating to discrimination because of a handicap.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 111.31 of the statutes is amended to read:

111.31 (1) The practice of denying employment and other opportuni-

ties to, and discriminating against, properly qualified persons by reason of their age, race, creed, color, *handicap*, sex, national origin or ancestry, is likely to foment domestic strife and unrest, and substantially and adversely affect the general welfare of a state by depriving it of the fullest utilization of its capacities for production. The denial by some employers and labor unions of employment opportunities to such persons solely because of their age, race, creed, color, *handicap*, sex, national origin or ancestry, and discrimination against them in employment, tends to deprive the victims of the earnings which are necessary to maintain a just and decent standard of living, thereby committing grave injury to them.

(2) It is believed by many students of the problem that protection by law of the rights of all people to obtain gainful employment, and other privileges free from discrimination because of age, race, creed, color, *handicap*, sex, national origin or ancestry, would remove certain recognized sources of strife and unrest, and encourage the full utilization of the productive resources of the state to the benefit of the state, the family and to all the people of the state.

(3) In the interpretation and application of this subchapter, and otherwise, it is declared to be the public policy of the state to encourage and foster to the fullest extent practicable the employment of all properly qualified persons regardless of their age, race, creed, color, *handicap*, sex, national origin or ancestry. ~~All the provisions of~~ This subchapter shall be liberally construed for the accomplishment of this purpose.

SECTION 2. 111.32 (5) (a) of the statutes is amended to read:

111.32 (5) (a) The term "discrimination" means discrimination because of age, race, color, *handicap*, sex, creed, national origin or ancestry, by an employer individually or in concert with others against any employe or any applicant for employment in regard to his hire, tenure or term, condition or privilege of employment, and by any labor organization against any member or applicant for membership, and also includes discrimination on any of said grounds in the fields of housing, recreation, education, health and social welfare.

SECTION 3. 111.32 (5) (f) of the statutes is created to read:

111.32 (5) (f) The prohibition against discrimination because of handicap does not apply to failure of an employer to employ or to retain as an employe any person who because of a handicap is physically or otherwise unable to efficiently perform, at the standards set by the employer, the duties required in that job. An employer's exclusion of a handicapped employe from life or disability insurance coverage, or reasonable restriction of such coverage, shall not constitute discrimination.

Approved August 18, 1965.