

HB 1314 -- UNLAWFUL DISCRIMINATORY PRACTICES

SPONSOR: White

This bill modifies certain provisions of the Missouri Human Rights Act. For discriminatory causes of action related to housing or public accommodations, the bill modifies the definition of "because" to be that the protected criterion was a contributing factor of the adverse decision or action. For employment related actions, the definition of "because" is modified to be that the protected criterion was a motivating factor of the adverse decision or action. The bill further modifies the definition of "employer" to include any person directly acting in the interest of an employer, but excluding an individual employed by the employer who was not directly or proximately involved in the proscribed conduct. The bill further modifies the definition of "motivating factor," removes a provision stating that Chapters 213, 285 and 287, RSMo, provide the exclusive remedies for any employment related claims, and modifies the damages available under a Chapter 213 action by imposing a cap of actual back pay and interest on back pay, plus \$150 thousand.

This bill further modifies the Whistleblower's Protection Act. The bill modifies the definition of "because" to be that a protected person's status was a motivating factor of the adverse decision or action. The bill further modifies the definition of "employer" to include any person directly acting in the interest of an employer, but excluding an individual employed by the employer who was not directly or proximately involved in the proscribed conduct. The bill further modifies the definition of "protected person," removes the definition of "motivating factor," and removes a provision stating that Chapters 213, 285 and 287 provide the exclusive remedies for any employment related claims.