■ HUMAN RIGHTS LAW

TERMS: An employer who has one or more employees for more than 1/4 of the year is prohibited from (1) refusing to hire a job applicant, (2) firing an employee, or (3) treating an employee or job applicant unequally or unfavorably in hiring, training, promotion, compensation, layoff or other terms of employment, because of race, color, religion, sex, national origin, age, physical or mental disability, status with respect to marriage or public assistance, or participation in a lawful activity off the employer's premises during non-working hours.

Advertising, publishing or indicating in some other way that individuals of a particular race, color, religion, sex, national origin, age, physical or mental disability, marital status, public assistance status, or who participate in lawful activity off the employer's premises during non-working hours are unwelcome, objectionable or not acceptable is also illegal.

Exception — It is generally not discriminatory for an employer to refuse to hire a person, or to fire an employee, on the basis of religion, sex, national origin, physical or mental disability, or marital status, in situations where religion, sex, national origin, physical or mental disability, or marital status is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.

ENFORCEMENT: *Human Rights Division, North Dakota Department of Labor and Human Rights, Bismarck, North Dakota 58505 (701-328-2660; toll-free 800-582-8032).* The Department may accept and act on a complaint charging discriminatory employment practices at any time within 300 days of the alleged violation.

Instead of filing a complaint with the Department, anyone affected by an act of employment discrimination may take legal action in state district court against the employer involved, using a private attorney or public legal service provider. Any such action must be filed within 300 days of the alleged violation, but if a complaint is first filed with the Department, court action must commence no later than 90 days after the Department dismisses the complaint or issues a written determination.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a person because the person has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.