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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 46 Session of  
2015

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INTRODUCED BY WILLIAMS, HUGHES, COSTA, FONTANA AND TARTAGLIONE,  
JANUARY 14, 2015

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REFERRED TO LABOR AND INDUSTRY, JANUARY 14, 2015

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AN ACT

1 Prohibiting employers from using consumer reporting under  
2 certain circumstances; and providing for enforcement.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Equal  
7 Employment for All Act.

8 Section 2. Prohibition.

9 No employer or potential employer shall procure a consumer  
10 report or investigative consumer report, or cause a consumer  
11 report or investigative consumer report to be procured, for  
12 purposes of employment or making an adverse employment action if  
13 any information contained in the report bears on the employee's  
14 or potential employee's creditworthiness, credit standing or  
15 credit capacity, unless any of the following apply:

16 (1) The consumer applies for or currently holds  
17 employment that requires national security or Commonwealth  
18 security or Federal Deposit Insurance Corporation (FDIC)

1 clearance.

2 (2) The consumer applies for or currently holds  
3 employment with the Commonwealth or a local government agency  
4 which otherwise requires use of a consumer report.

5 (3) The consumer applies for or currently holds a  
6 supervisory, managerial, professional or executive position  
7 at a financial institution.

8 (4) The information is required by law.

9 Section 3. Enforcement.

10 A violation of section 2 shall constitute an unlawful  
11 discriminatory practice for purposes of section 5 of the act of  
12 October 27, 1955 (P.L.744, No.222), known as the Pennsylvania  
13 Human Relations Act, and shall be subject to enforcement as  
14 provided under that act.

15 Section 4. Effective date.

16 This act shall take effect in 60 days.