**EMPLOYMENT EQUALITY (AMENDMENT) BILL 2012**

Arrangement of Sections

*Section 1:* Short title

*Section 2:* Prohibition of negative discrimination on the grounds of civil status or sexual orientation

*Section 3:* Prohibition of positive discrimination on the grounds of civil status or sexual orientation

Acts referred to:

Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010

Employment Equality Acts 1998 to 2011

**A Bill to amend the Employment Equality Acts, 1998 to 2011 and thereby extend the general protection against discrimination on the basis of sexual orientation, or civil status in, and in connection with, employment, vocational training and membership of certain bodies.**

Be it enacted by the Oireachtas as follows:

1(1)        This Act may be cited as the Employment Equality (Amendment) Act, 2012.

(2) This Act and the Employment Equality Acts 1998 to 2011 may be cited together as the Employment Equality Acts 1998 to 2012.

2.        Section 37 of the Employment Equality Act 1998 is amended by inserting the following subsection immediately after sub-section (6)

"(7) Nothing in sub-section 1 may be relied upon by an institution referred to in sub-section 1 to justify or permit discrimination or to allow any action to be taken against any employee or potential employee on the basis of that employee’s or potential employee’s civil status or sexual orientation."

3.        Section 37 of the Employment Equality Act 1998 is amended by inserting the following subsection immediately after sub-section (7) (as inserted by section 2 of this Act)

"(8) Nothing in sub-section 1 may be relied upon by an institution referred to in sub-section 1 to justify more favourable treatment of or in respect of one employee or potential employee over another employee or a potential employee on the basis of his or her civil status or sexual orientation."

4*.* Section 2(1) of the Employment Equality Act 1998 (as amended by the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010) is amended by substituting the following for the definition of “civil status”

“ ‘civil status’ means being single, married, separated, divorced, widowed, in a civil partnership within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 or being a former civil partner in a civil partnership that has ended by death or been dissolved or being or having been a cohabitant or qualified cohabitant within the meaning of section 172 of the *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010*;";