

**207.150 Prohibited employment practices -- Exceptions.**

- (1) No employer shall fail or refuse to hire, discharge, or discriminate against any individual with a disability with respect to wages, rates of pay, hours, or other terms and conditions of employment because of the person's physical disability unless the disability restricts that individual's ability to engage in the particular job or occupation for which he or she is eligible, or unless otherwise provided by law or, on the basis of the results of a human immunodeficiency virus-related test, unless the absence of human immunodeficiency virus infection is a bona fide occupational qualification of the job in question; nor shall any employer limit, segregate, or classify individuals with disabilities in any way which would deprive or tend to deprive any individual with a disability of employment opportunities or otherwise affect employee status because of physical disability, or on the basis of the results of a human immunodeficiency virus-related test, unless the disability or absence of human immunodeficiency virus infection, constitutes a bona fide and necessary reason for the limitation, segregation or classification. This subsection shall not be construed to require any employer to modify his physical facilities or grounds in any way, or exercise a higher degree of caution for an individual with a disability than for any person who is not an individual with a disability.
- (2) No employment agency, placement service, training school or center, or labor organization shall fail or refuse to refer for employment or otherwise discriminate against individuals because of physical disability.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 405, sec. 65, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 443, sec. 52, effective July 13, 1990. -- Created 1976 Ky. Acts ch. 280, sec. 4.