

# VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

## CHAPTER 628

*An Act to amend and reenact §§ 11-44 and 11-51 of the Code of Virginia, relating to the Virginia Public Procurement Act; discrimination prohibited.*

[H 596]

Approved April 8, 2000

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 11-44 and 11-51 of the Code of Virginia are amended and reenacted as follows:**

§ 11-44. Discrimination prohibited.

In the solicitation or awarding of contracts, no public body shall discriminate *against a bidder or offeror* because of ~~the~~ race, religion, color, sex, ~~or~~ national origin ~~of the bidder or offeror~~, age, disability, *or any other basis prohibited by state law relating to discrimination in employment.* Whenever solicitations are made, each public body shall include businesses selected from a list made available by the Department of Minority Business Enterprise.

§ 11-51. Employment discrimination by contractor prohibited.

All public bodies shall include in every contract of over \$10,000 the provisions in 1 and 2 herein:

1. During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex ~~or~~, national origin, *age, disability, or any other basis prohibited by state law relating to discrimination in employment,* except where ~~religion, sex or national origin~~ there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.