

*THE GRINNELL HUMAN RIGHTS COMMISSION
Proposed City Ordinance
Submitted to City Council*

Chapter 2.50 HUMAN RIGHTS COMMISSION

I. 2.50.010 Purpose

The purpose of this Chapter is to establish a human rights commission consistent with the Iowa Civil Rights Act (Chapter 216, Code of Iowa); to recognize the authority of the Iowa Civil Rights Commission and foster use of its procedures and programs; to increase awareness, understanding and appreciation of diversity within the community; and to promote the interests, rights and privileges of all citizens by proclaiming a public policy of nondiscrimination which secures freedom from discriminatory practices, protects human dignity and ensures the full productive capacities of all for the safety, health and general welfare of Grinnell. The City of Grinnell is fundamentally concerned about the practice or policy of discriminating against individuals and families for reasons of age, color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or the receiving of public assistance. Such discrimination threatens not only the rights and privileges of individual citizens but also the foundations and institutions of a democracy.

II. 2.50.020 Definitions

For the purposes of this Chapter, the following terms shall have the following meanings. Any term not defined herein shall be defined as in the Code of Iowa.

Age means the chronological age of any person who has reached the age of eighteen or is considered by law to be an adult.

Anti-nepotism policy means a policy that disallows favoritism or patronage granted to relatives.

Chapter means the Human Rights Commission Chapter of the Grinnell Code.

City Attorney means the duly appointed attorney for the City or such person designated by the City Attorney.

Code means the Municipal Code – City of Grinnell, Iowa.

Commission means the Grinnell Human Rights Commission.

Commissioner means a member of the Commission.

Complainant means a person who has filed a report of discrimination as provided for by this Chapter.

Complaint means a report of discrimination as provided for by this Chapter.

Court means the Poweshiek County District Court of the State of Iowa or any judge of the Court if the Court is not in session at that time.

Covered multifamily dwelling means any of the following:

- a. A building consisting of four or more dwelling units if the building has one or more elevators.
- b. The ground floor units of a building consisting of four or more dwelling units.

Credit transaction means any open or closed-end credit transaction including, but not limited to, a loan, retail installment transaction, credit card issue or charge, whether for personal or for business purposes, in which a service, finance or interest charge is imposed or which provides for repayment in scheduled payments, when such credit is extended in the regular course of any trade or commerce.

Dependent means any person, regardless of age, who resides in a household and who derives primary care or support from that household.

Disability means the physical or mental impairment of a person which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. Disability also refers to the condition of a person with a positive Human Immunodeficiency Virus test result, a diagnosis of Acquired Immune Deficiency Syndrome, a diagnosis of Acquired Immune Deficiency Syndrome-related complex or any other condition related to Acquired Immune Deficiency Syndrome. The inclusion of a condition related to a positive Human Immunodeficiency Virus test result in the meaning of “disability” under the provisions of this Chapter does not preclude the application of the provisions of this Chapter to conditions resulting from other contagious or infectious diseases.

Domestic partner means an adult who has entered into a domestic partnership.

Domestic partnership means a relationship between two adults in which the persons are not related by blood closer than permitted under the marriage laws of the State of Iowa; neither person is married or in any other domestic partnership; the persons are competent to enter into a contract; and both persons consider themselves to be in a partnership of mutual support, caring and commitment to each other.

Dwelling means any improved or unimproved real estate which is used or intended for use as a residence or sleeping place for one or more persons.

Educational institution includes any preschool, elementary, secondary, community college, area education agency, or post-secondary college or university, and their governing boards.

Employee means any person employed by an employer.

Employer means the City or any board, commission, department, or agency thereof, and every person employing employees whose employment or any part thereof is within the City.

Employment agency means any person undertaking to procure employees or opportunities to work for any other person.

Ethnicity includes, but is not limited to, the identification of a person with a cultural, racial, national, tribal, religious, linguistic, or geographically defined group.

Family means individuals, with or without dependents, who are single, married, divorced, separated, widowed, domestic partners, or domiciled with and caring for another adult with a physical or mental disability.

Marital status means the state of being married, single, divorced, separated or widowed.

Married means two persons joined together in a committed relationship legally recognized by civil ceremony or religious sanction.

Organizational affiliation means the voluntary identification and association with an organization, e.g., labor group or political party, or the choice to not so identify or affiliate.

Person means one or more individuals, partnerships, associations, corporations, legal representatives, trustees, receivers, the City or any board, commission, department, or agency thereof, and all other governmental units conducting any activity in the City or any other legal entity.

Post-finding mediation means a dialogue, after finding of probable cause, between the Complainant and the Respondent with the assistance of a representative of the Commission, who may be a non-member of the Commission. The purpose of such mediation is to determine remedies to the discriminatory or unfair practices, and attempt to prevent any future violations by the Respondent. The role of the representative of the Commission is to advocate for an appropriate remedy for the Complainant and advance the public interest in eliminating any discriminatory practice.

Post-finding negotiation means a dialogue and negotiation, which takes place after a finding of probable cause, between the Respondent and the Commission, or a representative or representatives of the Commission, with the goal of determining remedies to the discriminatory or unfair practices and preventing any future violations by the Respondent. The role of the representative of the Commission is to advocate for an appropriate remedy for the Complainant and advance the public interest in eliminating any discriminatory practice. Such negotiation shall only be necessary if the Complainant chooses not to participate in post-finding mediation.

Pre-finding mediation means a dialogue and negotiation between the Complainant and the Respondent with the assistance of an impartial third party, the mediator, to take place before any finding of blame or probable cause, with the goal of resolving the complaint to the satisfaction of both parties.

Public accommodation means each and every place, establishment or facility of whatever kind, nature or class that caters or offers services, facilities or goods to the general public for a fee or charge. Each and every place, establishment or facility that caters or offers services, facilities or goods to the general public gratuitously shall be deemed a public accommodation if the accommodation receives any substantial governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment or facility which is by its nature distinctly private, except that, when such distinctly private place, establishment or facility caters or offers services, facilities or goods to the general public for a fee or charge or gratuitously, it shall be deemed a public accommodation during such period. Public accommodation includes each state and local government unit or tax-supported district of whatever kind, nature, or class that offers services, facilities, benefits, grants or goods to the public, gratuitously or otherwise.

Public assistance means income and support derived from any tax-supported federal, state or local funds, including, but not limited to, Social Security, Supplemental Security Income, temporary aid to needy families, food stamps and unemployment compensation.

Residential real estate transaction means to make or purchase loans or provide other financial assistance to purchase, construct, improve, repair or maintain a dwelling, or to secure residential real estate, and to sell, broker or appraise residential real estate.

Respondent means a person who is alleged to have committed an act prohibited by this Chapter and against whom a complaint has been filed.

Retaliate means any act directed at a Complainant or other person with the intent of affecting that person unfavorably because of his or her formal or informal efforts to secure or aid in securing compliance with this Chapter.

Sex includes, but is not limited to, a category into which human beings are placed, based on the perceived or actual physical presence of reproductive organs representing the biological divisions of male, female, intersex, transgendered, or in surgical transition.

Sexual orientation means actual or perceived heterosexuality, homosexuality or bisexuality.

III. 2.50.030 THE COMMISSION

The City of Grinnell establishes a human rights commission, the Grinnell Human Rights Commission (hereinafter the Commission) as authorized by Chapter ??? of the Grinnell Code and the Code of Iowa (see Chapter 216). The Commission shall be governed by the following provisions:

- A. The Commission shall consist of seven residents of the City of Grinnell appointed by the Mayor, with the advice and majority approval of the City Council. The term of appointment shall be three years from January 1st of the year in which the appointment is made. Vacancies shall be filled in the same manner for the remainder of the unexpired term. Whenever possible, appointments shall represent the diversity of people in Grinnell and shall also represent areas of expertise in the law, education, mediation, interpersonal relationships and other areas that will aid the Commission in its primary goals of education and the investigation and resolution of complaints.
- B. The members of the Commission shall serve without compensation, provided that they may receive actual and necessary expenses incurred, within the limits established in the city budget.
- C. The Commission shall elect from its membership, at its regular January meeting, its Chairperson, Vice-chairperson and Secretary, each to serve for a term of one year. The Commission shall fill vacancies among its officers for the remainder of the unexpired term.
- D. The Commission shall cooperate with the Iowa Civil Rights Commission, the United States Civil Rights Commission, the Federal Equal Employment Opportunity Commission and other agencies with similar purposes. The Commission shall provide for the execution within the City of the policies and principles embodied in the Iowa Civil Rights Act and the Federal Civil Rights Act.

IV. 2.50.040 POWERS AND RESPONSIBILITIES OF THE COMMISSION

It is each Commissioner's responsibility to take an active role in the work of the Commission. This shall include reviewing human rights complaints and the investigative file, attending Commission meetings, and planning and attending community/educational functions. The Commission shall have the following powers and responsibilities:

A. Study and Remedy

1. Investigate and study the existence, character, causes and extent of discrimination in employment practices, public accommodations or services, open housing, education and credit practices, and attempt to eliminate such discrimination by education and mediation.
2. Issue such publications and reports of investigations and research which, in the judgment of the Commission, shall tend to promote goodwill among the various racial, religious and ethnic groups of the City and which shall tend to minimize or eliminate discrimination in employment practices, public accommodations or services, open housing, education and credit practices because of age, color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or the receiving of public assistance .
3. Cooperate, within the limits of any appropriations made for its operation, with other agencies or organizations, both public and private, whose purposes are not inconsistent with those of this Chapter, in the planning and conducting of programs designed to eliminate racial, religious, cultural and inter-group tensions.

B. Education

1. Plan, conduct and assist organizations (e.g., schools, businesses, religious groups, civic associations, libraries and museums) in programs designed to increase community awareness, appreciation of diversity and the full securing of the rights of all citizens.
2. Plan, conduct and assist other organizations in cultural events designed to promote the dignity and human rights of all individuals and families and to foster understanding of human diversity.
3. Increase understanding of diversity within the community by encouraging the participation of citizens in study circles and small-group deliberations, with the goal of addressing discriminatory practices in an open and democratic way.

C. Investigation and Resolution of Complaints

1. Receive, investigate, process complaints, hold hearings and pass upon charges or complaints alleging discriminatory practices, and provide appropriate remedies where discrimination has been found to exist, all as provided in the By-laws.
2. Seek a temporary injunction in District Court against a Respondent when it appears that a Complainant may suffer irreparable injury as a result of an alleged violation of this Chapter.
3. Issue subpoenas and order discovery to aid in investigation of allegations of discrimination.

D. Reporting

1. Prepare and transmit to the Mayor and the City Council from time to time, but not less often than once each year, reports describing its proceedings, investigations, hearings conducted and the outcome thereof, decisions rendered and other work performed by the Commission.
2. Make recommendations to the Mayor and the City Council for such further legislation concerning discrimination as it may deem necessary and desirable.

V. 2.50.050 DISCRIMINATORY PRACTICES

A. Employment

1. It shall be a discriminatory practice for any person to refuse to hire, accept, register, classify or refer for employment, to discharge any employee, or to otherwise discriminate in employment against any applicant for employment or any employee because of the age, color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, marital status, familial status, organizational affiliation, or the receiving of public assistance of such applicant or employee, unless based upon the nature of the occupation.
2. It shall be a discriminatory practice for any labor organization, or its employees, agents or members, to refuse to admit to membership any applicant, to expel any member or to otherwise discriminate against any applicant for membership or any member in the privileges, rights or benefits of such membership because of age, color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or receiving public assistance.
3. It shall be a discriminatory practice for any employer, employment agency, labor organization, or their employees, agents or members, to directly or indirectly advertise or in any other manner indicate or publicize that individuals of any particular age, color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, marital status, familial status, organizational affiliation, or because of receiving public assistance are unwelcome, objectionable, not acceptable or not solicited for employment or membership unless based on the nature of the occupation.
4. It shall be a discriminatory practice for any person to solicit or require as a condition of employment of any employee or prospective employee a test for the presence of the antibody to the Human Immunodeficiency Virus or a test for indicators of any other infectious disease. It shall also be a discriminatory practice to affect the terms, conditions or privileges of employment, or to terminate the employment of any employee solely as a result of testing positive for the presence of the antibody to the Human Immunodeficiency Virus or the presence of indicators of any other infectious disease. An agreement between an employer, employment agency, labor organization, or their employees, agents or members, and an employee or prospective employee concerning employment, pay or benefits to an employee or prospective employee in return for being tested for the presence of the antibody to the Human Immunodeficiency Virus or the presence of indicators of any other infectious disease, is prohibited.

The prohibitions of this subsection do not apply if the Epidemiologist of the State of Iowa determines and the Director of Public Health declares, through the utilization of guidelines established by the Centers for Disease Control of the United States Department of Health and Human Services, that a person with a condition related to Acquired Immune Deficiency Syndrome or other infectious disease poses a significant risk of transmission of the Human Immunodeficiency Virus or other infectious agent to other persons in a specific occupation.

5. An employer, employment agency, or their employees, servants or agents, may offer employment or advertise for employment to only persons with disabilities.
6. Employment policies relating to pregnancy and childbirth shall be governed by the following:
 - a) A written or unwritten employment policy or practice that excludes from employment applicants or employees because of the employee's or applicant's pregnancy is a prima facie violation of this Chapter.
 - b) Disabilities caused or contributed to by the employee's pregnancy, miscarriage, legal abortion, childbirth and recovery are, for all job-related purposes, temporary disabilities and shall be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment.
 - c) Written and unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority, and other benefits and privileges, reinstatement and payment under any health or temporary disability insurance or sick leave plan, formal or informal, shall be applied to a disability due to the employee's pregnancy, legal abortion, miscarriage, or childbirth, on the same terms and conditions as they are applied to other temporary disabilities.
7. This section shall not prohibit discrimination on the basis of age if the person subject to the discrimination is under the age of eighteen years, unless that person is considered by law to be an adult.
8. Notwithstanding the provisions of this section, a state or federal program designed to benefit a specific age classification that serves a bona fide public purpose shall be permissible.
9. This Section A shall not apply to:
 - a) The employment of individuals for work within the home of the employer if the employer or members of the employer's family reside therein during such employment;
 - b) The employment of individuals to render personal service to the person of the employer or members of the employer's family;

- c) Any bona fide religious institution or its educational facility, association, corporation or society with respect to any qualifications for employment based on religion when such qualifications are related to a bona fide religious purpose;
- d) A religious qualification for instructional personnel or an administrative officer, serving in a supervisory capacity of a bona fide religious educational facility or religious institution, shall be presumed to be a bona fide occupational qualification.
- e) Anti-nepotism policies.

B. Public Accommodation

1. It shall be a discriminatory practice for any owner, lessee, sublessee, proprietor, manager or superintendent of any public accommodation or any agent or employee thereof:
 - a) To refuse or deny to any person or to otherwise discriminate against any person because of color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, marital status, familial status, organizational affiliation, or receiving public assistance the accommodations, advantages, facilities, services, or privileges thereof, or in the furnishing of such accommodations, advantages, facilities, services or privileges;
 - b) To directly or indirectly advertise or in any other manner indicate or publicize that the patronage of persons of any particular color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or because of receiving public assistance is unwelcome, objectionable, not acceptable or not solicited.
2. Section B.1. shall not apply to:
 - a) Any bona fide religious institution with respect to any qualifications the institution may impose based on religion when such qualifications are related to a bona fide religious purpose;
 - b) The rental or leasing to transient individuals of less than six rooms within a single housing accommodation by the occupant or owner of such housing accommodation if the occupant or owner or members of that person's family reside therein.

C. Housing

1. It shall be a discriminatory practice for any person, owner, or person acting for an owner of rights to housing or real property, with or without compensation, including, but not limited to, persons licensed as real estate brokers or salespersons, attorneys, auctioneers, agents or representatives by power of

attorney or appointment, or any person acting under court order, deed of trust or will:

- a) To refuse to sell, rent, lease, assign, sublease, refuse to negotiate, or to otherwise make unavailable, or deny any real property or dwelling, or any part, portion, or interest in the real property or dwelling to any person because of color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or receiving of public assistance;
- b) To condition the terms or privileges of the sale, rental, lease assignment or sublease of any real property or dwelling, or any part, portion, or interest in the real property or dwelling, or in the provision of services or facilities in connection with the real property or dwelling because of the person's color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or receiving of public assistance;
- c) To directly or indirectly advertise, or in any other manner indicate or publicize that the purchase, rental, lease, assignment or sublease of any real property or dwelling, or any part, portion or interest in the real property or dwelling, by persons of any particular color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or because of receiving public assistance is unwelcome, objectionable, unacceptable or not solicited;
- d) To discriminate against the lessee or purchaser of any real property or dwelling, or any part, portion or interest of the real property or dwelling, or any prospective lessee or purchaser of the real property or dwelling, because of the color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or the receiving of public assistance of persons, who may from time to time be present in or on the lessee's or owner's premises for lawful purposes at the invitation of the lessee or owner as friends, guests, visitors, relatives or in any similar capacity.
- e) To induce or attempt to induce another person to sell or rent a dwelling by representations regarding the entry or prospective entry into a neighborhood of a person of a particular color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or a person receiving public assistance;
- f) To represent to a person of a particular color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or to a person receiving public assistance, that a dwelling is not available for inspection, sale or rental when the dwelling is available for inspection, sale or rental;

- g) To deny another person access to, or membership or participation in a multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against a person in terms or conditions of access, membership or participation in such organization because of color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status, or receiving of public assistance;
 - h) To deny in the sale or rental or otherwise make unavailable a dwelling to a person because of a disability of the person, a disability of a person residing in or intending to reside in that dwelling after it is sold, rented or made available; and/or because of a disability of a person associated with that person;
 - i) To condition the terms or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of a disability of that person, a disability of a person residing in or intending to reside in that dwelling after it is sold, rented or made available, and/or because of a disability of a person associated with that person.
2. For the purposes of Section C.1 (i) only, discrimination includes either of the following circumstances:
- a) A refusal to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications are necessary to afford the person full enjoyment of the premises. In the case of a rental, a landlord may, where reasonable to do so, condition permission for a modification on the renter's agreement to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
 - b) A refusal to make reasonable accommodations in rules, policies, practices or services, when the accommodations are necessary to afford the person equal opportunity to use and enjoy a dwelling.
 - c) In connection with the design and construction of covered multifamily dwellings for first occupancy after January 1, 1992, it shall be a discriminatory practice to fail to design and construct those dwellings in a manner that meets the following requirements:
 - i) The public use and common use portions of the dwellings are readily accessible to and usable by persons with disabilities;
 - ii) All doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by persons with disabilities in wheelchairs;
 - iii) All premises within the dwellings contain the following features of adaptive design:

- (A) An accessible route into and through the dwelling,
 - (B) Light switches, electrical outlets, thermostats and other environmental controls in accessible locations,
 - (C) Reinforcements in bathroom walls to allow later installation of grab bars,
 - (D) Kitchens and bathrooms so that a person in a wheelchair can maneuver about the space.
3. A person whose business includes engaging in residential real estate-related transactions shall not discriminate against a person in making such transactions available or in the terms or conditions of such a transaction because of color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, marital status, familial status, organizational affiliation, or the receiving of public assistance.
4. The provisions of Section C shall not apply to:
- a) Any bona fide religious institution with respect to any qualifications it may impose based on religion, when the qualifications are related to a bona fide religious purpose unless the religious institution owns or operates property for a commercial purpose or membership in the religion is restricted on account of color, race, ethnicity, national origin, or ancestry;
 - b) Discrimination on the basis of familial status involving dwellings provided under any state or federal program specifically designed and operated to assist elderly persons, as defined in the State or Federal program that the Commission determines to be consistent with determinations made by the United States Secretary of Housing and Urban Development, and housing communities consisting of dwellings intended for and occupied solely by persons fifty-five years of age or older;
 - c) The rental or leasing of a dwelling in a building which contains dwellings for not more than two families living independently of each other, if the owner resides in one of the dwellings. This exception does not apply to the advertising of the dwelling;
 - d) The rental or leasing of less than four rooms within a single dwelling by the occupant or owner of the dwelling, if the occupant or owner resides in the dwelling. This exception does not apply to the advertising of the dwelling;
 - e) The rental or leasing of a dwelling in a building which contains dwellings for not more than four families living independently of each other, if the owner resides in one of the dwellings for which the owner qualifies for the Homestead Tax Credit under Iowa Code Section 425.1. This exception does not apply to the advertising of the dwelling;
 - f) Discrimination on the basis of sex involving the rental, leasing or subleasing of a dwelling within which residents of both sexes would be forced to share a

living area and/or share a common bathroom facility on the same floor of the building;

6. The provisions of Section C do not prohibit a person engaged in the business of furnishing appraisals of real estate from taking into consideration factors other than color, race, ethnicity, national origin, ancestry, creed, religion, disability, sex, sexual orientation, gender identity, organizational affiliation, marital status, familial status or the receiving of public assistance in appraising real estate.
7. Nothing in Section C requires that a dwelling be made available to a person whose tenancy would constitute a direct threat to the health or safety of other persons or whose tenancy would result in substantial physical damage to the property of others.

D. Education

1. Educational institutions shall not discriminate on the basis of color, race, ethnicity, national origin, ancestry, creed, religious belief, disability, sex, sexual orientation, gender identity, marital status, familial status, receiving public assistance, or organizational affiliation in any program or activity. Such discriminatory practices shall include, but not be limited, to the following practices:
 - a) Exclusion of a person or persons from participation in, denial of the benefits of, or subjection to discrimination in any academic, extracurricular, research, occupational training or other program or activity, except athletic programs;
 - b) Denial of comparable opportunity in intramural and interscholastic athletic programs; and,
 - c) The application of any rule concerning the actual or potential parental, familial or marital status of a person, or the exclusion of any person from any program or activity because of pregnancy or related conditions dependent upon the physician's diagnosis and certification.
2. Nothing in this section shall be construed as prohibiting:
 - a) Separate toilet facilities, locker rooms or living facilities for the different sexes so long as comparable facilities are provided;
 - b) Any bona fide religious institution from imposing qualifications based on religion, when such qualifications are related to a bona fide religious purpose;
 - c) Any institution from admitting students of only one sex.

E. Credit

1. It shall be a discriminatory practice for any:

- a) Creditor to refuse to enter into a consumer credit transaction or impose finance charges or other terms or conditions more onerous than those regularly extended by that creditor to consumers of similar economic backgrounds because of age, color, race, ethnicity, national origin, ancestry, creed, religion, physical disability, sex, sexual orientation, gender identity, marital status, or familial status;
- b) Person authorized or licensed to do business in this state pursuant to the Code of Iowa (see Chapters 524, 533, 534, 536 or 536A) to refuse to loan or extend credit, or to offer credit life, credit health, or credit accident insurance, or to impose terms or conditions more onerous than those regularly extended to persons of similar economic backgrounds because of age, color, race, ethnicity, national origin, ancestry, creed, religion, physical disability, sex, sexual orientation, gender identity, marital status, or familial status.
- c) Creditor to refuse to offer credit life, credit health or credit accident insurance based upon the age or physical disability of the consumer. It shall not be a discriminatory practice if such denial is based solely upon bona fide underwriting considerations not prohibited by Iowa Code Title XIII, subtitle 1.

2. The provisions of this section shall not be construed to narrow or restrict any other provisions of this Chapter.

F. Aiding, Abetting, Compelling and Coercing

It shall be a discriminatory practice for any person to intentionally aid, abet, compel or coerce another person to engage in any of the practices declared discriminatory by this Chapter.

G. Retaliation

It shall be a discriminatory practice for any person to discriminate or retaliate against another person in any of the rights protected against discrimination by this Chapter because such person has lawfully opposed any practice forbidden under this Chapter, obeys the provisions of this Chapter, or has filed a complaint, testified or assisted in any proceeding under this Chapter.

H. Interference, Coercion and Intimidation

It shall be a discriminatory practice for any person to coerce, intimidate, threaten or interfere with another person in the exercise or enjoyment of any right granted or protected by this Chapter, on account of the person having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by this Chapter.

VI. 2.50.060 PROCEDURES AND ENFORCEMENT

See Section VI of the By-Laws: HUMAN RIGHTS PROCEDURES IN RESPONSE TO A COMPLAINT

VII. 2.50.070 EXCEPTIONS FOR RETIREMENT PLANS, LIFE, DISABILITY AND HEALTH BENEFITS

- A. The provisions of this Chapter relating to discrimination because of age do not apply to the involuntary retirement of a person that is in compliance with Federal and State laws, rules, and regulations.
- B. An employee welfare plan:
 - 1. May provide life, disability or health insurance benefits that vary by age based on actuarial differences if the employer contributes equally for all the participating employees, or
 - 2. May provide for employer contributions differing by age if the benefits for all the participating employees do not vary by age.

VIII. 2.50.080 RULE OF CONSTRUCTION

This Chapter shall be construed broadly to effectuate its purposes. Nothing in this Chapter shall be construed to include participation in acts which are prohibited by law.