



AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 (AS AMENDED)

Prohibits employers of 20 or more persons from discriminating against persons over age 40 in any area of employment because of age. Some apprenticeship programs, retirement and/or benefit systems are exempted from these prohibitions. A number of states also have age laws and a few protect all ages. The subsequent Age Discrimination Act of 1975 prohibits discrimination on the basis of age against all persons 40 or older by any employer receiving Federal money. The Older Workers Protection Act of 1990, further addresses employee benefits as stated in the ADEA.

AMERICANS WITH DISABILITIES ACT (ADA)

The ADA prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship.

CIVIL RIGHTS ACT OF 1866 (42 USC 1981)

This law, known as section 1981, guarantees all persons the same right to make and enforce contracts that “white citizens” enjoy. It has been constructed to cover virtually all private contractual arrangements including employment. Race is covered but sex and religion are not.

EQUAL PAY ACT OF 1963

Requires that all employers subject to the Fair Labor Standards Act provide equal pay for men and women performing work substantially similar in skill, effort, responsibility, and working conditions unless wage differentials are due to bona fide systems of seniority, merit, output or some business factor other than sex.

EXECUTIVE ORDER 11246

Requires an Affirmative Action Plan from all federal contractors and subcontractors and requires that firms with contracts over \$50,000 and 50 or more employees develop and implement written programs to be monitored by the Department of labor. "The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated fair during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause."

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA)

This law makes it illegal to discriminate against employees or applicants because of genetic information. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder or condition of an individual's family members (i.e. an individual's family medical history).

REHABILITATION ACT OF 1973 (AS AMENDED)

This act is designed to promote the employment of handicapped individuals. It bans discrimination on the basis of visible and non-visible handicaps substantially limiting one or more major life activities. Further, companies must actively pursue opportunities to employ qualified handicapped individuals and modify their facilities to accommodate them. Handicapped individuals are defined as persons who have a record of physical or mental impairment, history of alcoholism, asthma, diabetes, epilepsy, and other diseases. Section 504 of the Rehabilitation Act, states "No otherwise qualified handicapped individual in the United States...shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity".

TITLE II, CIVIL RIGHTS ACT OF 1964

“All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination on the ground of race, color, religion, or national origin.”

TITLE VI, CIVIL RIGHTS ACT OF 1964

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

TITLE VII, CIVIL RIGHTS ACT OF 1964 (AS AMENDED BY EEO ACT, 1972)

Prohibits discrimination on the basis of color, race, religion, sex, or national origin. Covers all employers with 15 or more persons, all educational institutions, public or private, state and local governments, public and private agencies, labor unions with 15 or more members, joint labor-management committees for apprenticeship and training. Prohibits practices identified by statistically determined adverse impact as well as intentional unequal treatment. Decisions concerning hiring, placement, training, promotion, termination and layoff are covered. Title VII established the EEOC (Equal Employment Opportunity Commission) to enforce the law. The amendment in 1972 enables the EEOC to enforce Title VII through court action. Title VII also provides for religious accommodations.

TITLE IX, CIVIL RIGHTS ACT OF 1964

“No person in the United States, shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

VETERANS EMPLOYMENT ACT OF 1998

Expanded affirmative action coverage to veterans who served on active duty during a war or in any campaign or expedition for which award of a campaign badge has been authorized.