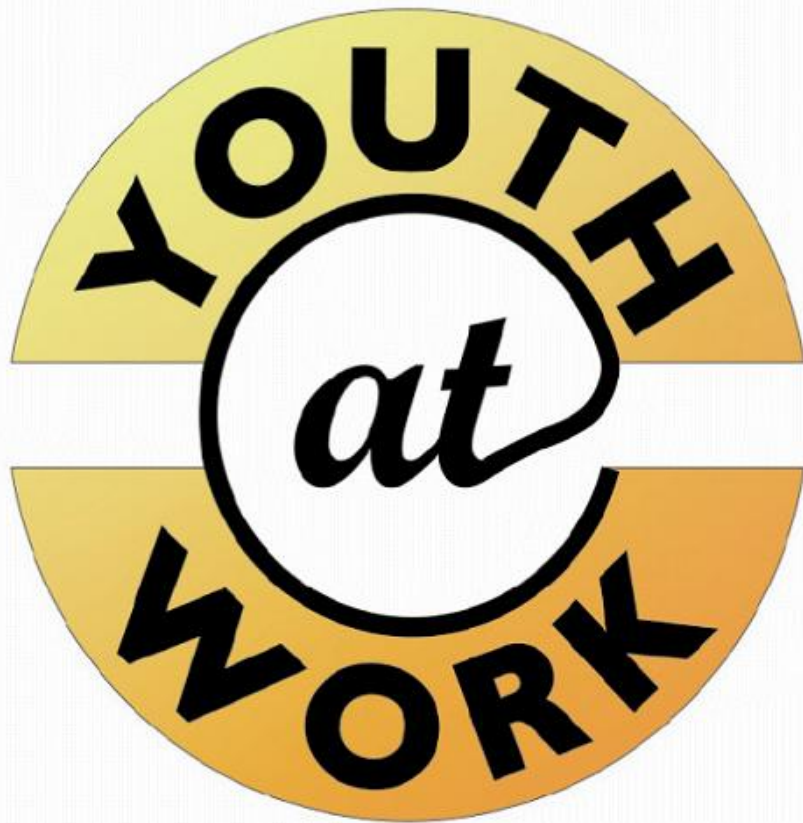
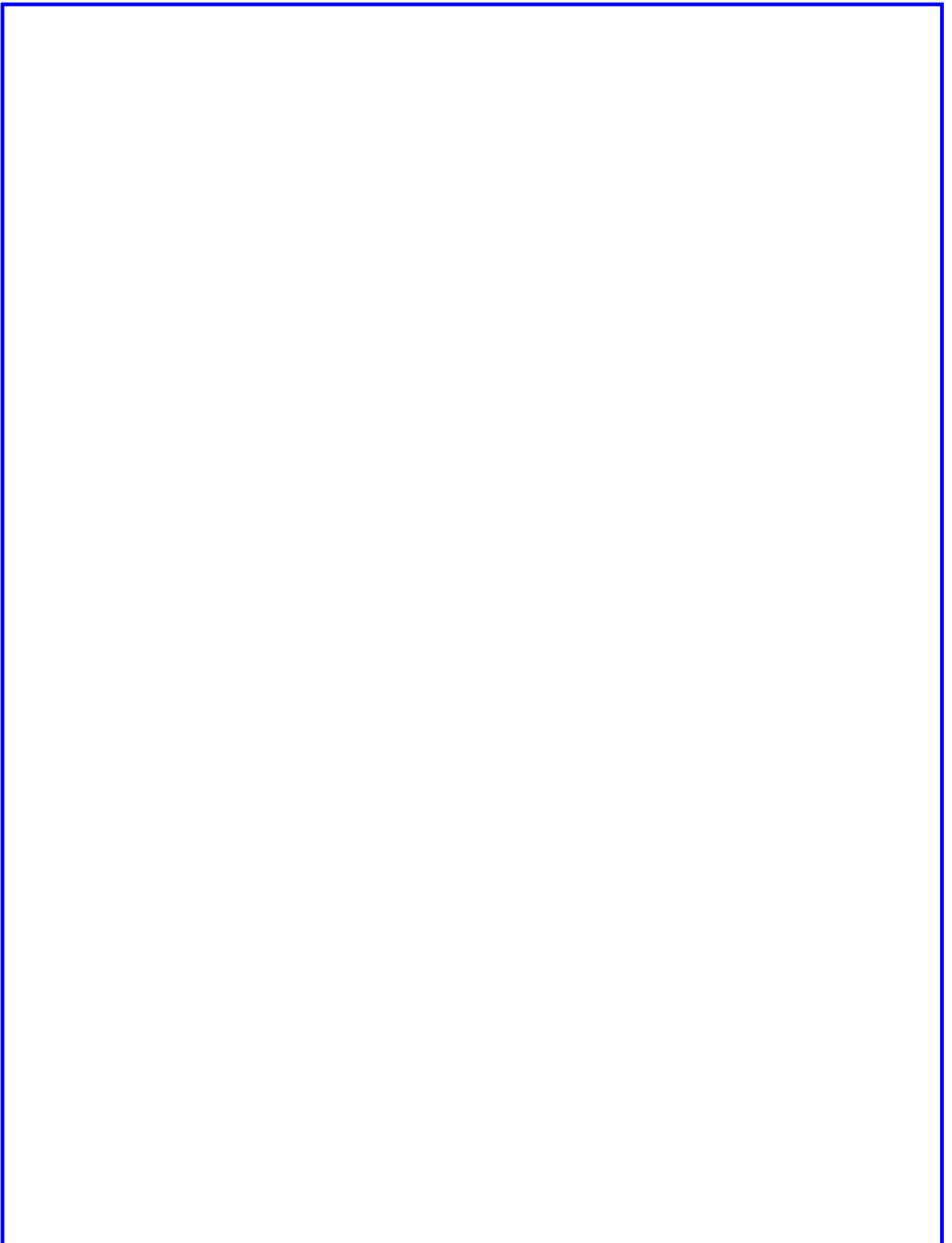


Job Discrimination  
Youth@Work Video  
Teacher Manual



U.S. Equal Employment Opportunity Commission  
[www.eeoc.gov](http://www.eeoc.gov)  
1-800-669-4000

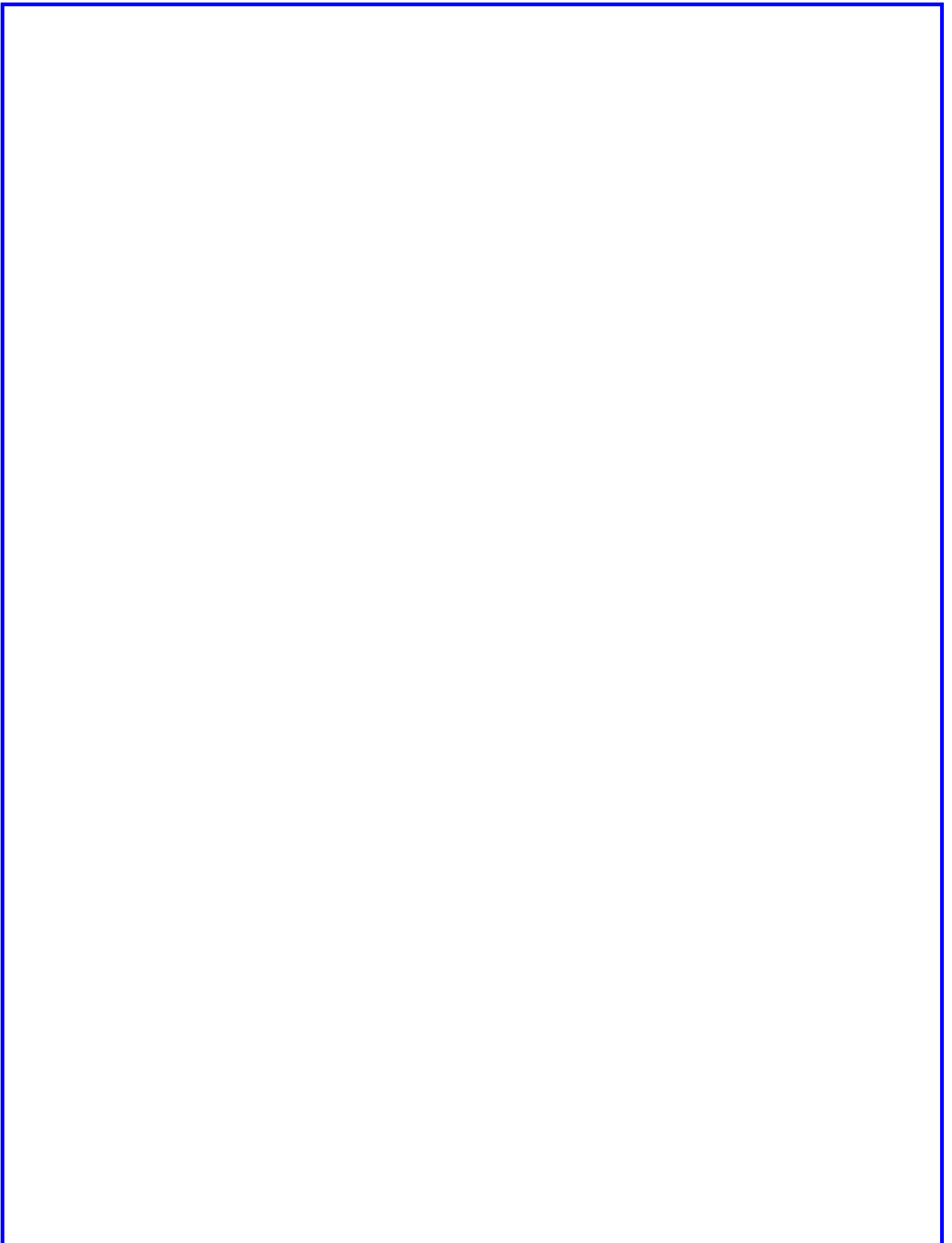


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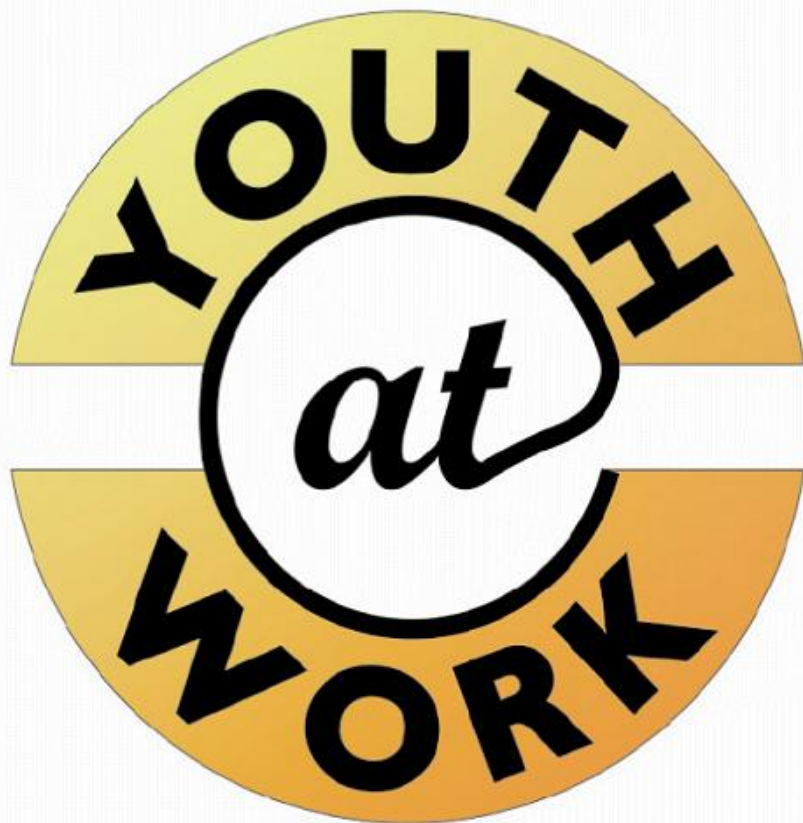


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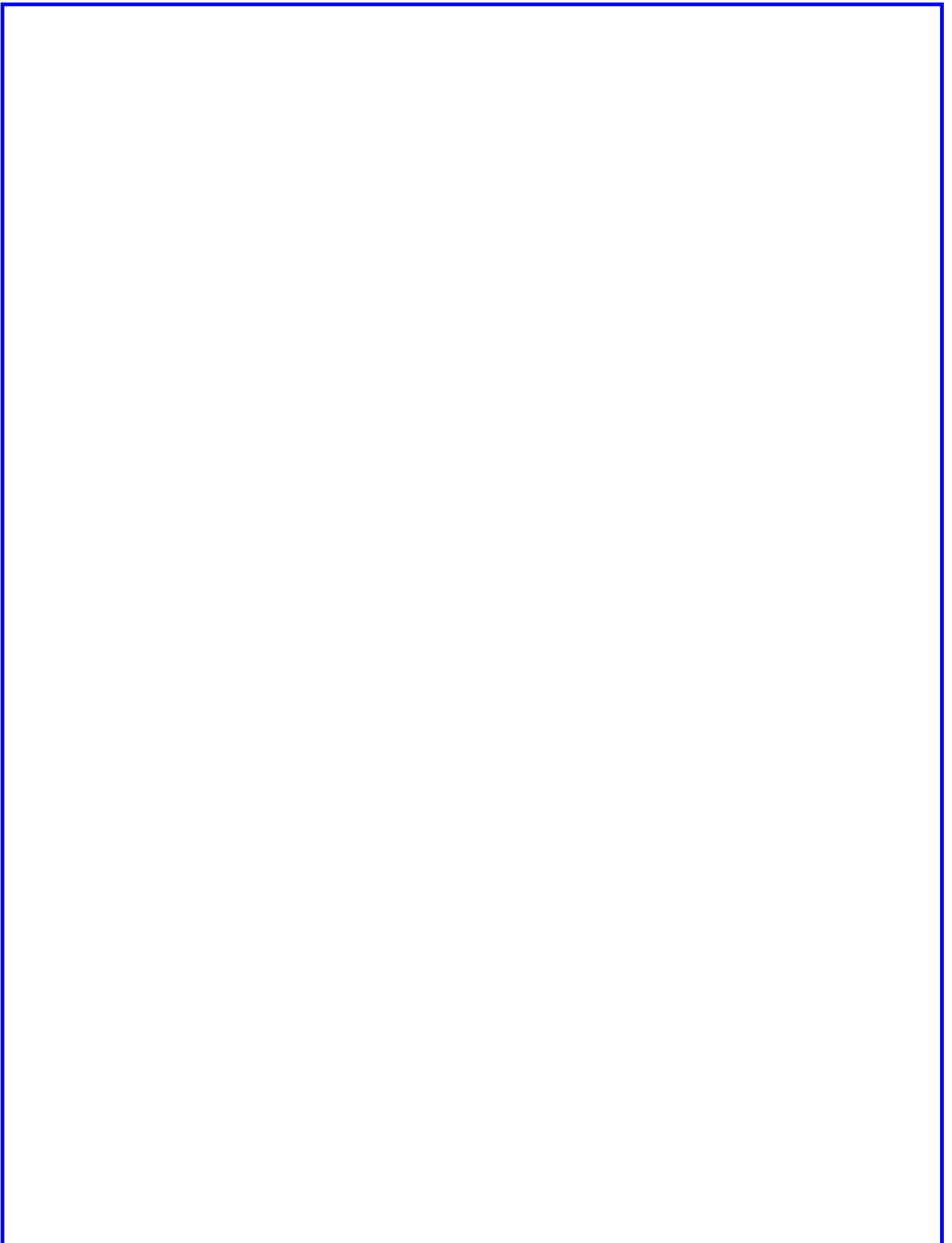


# One-Hour Lesson Plan

## Video & Follow-Up Questions



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## Youth@Work Video Classroom Guide ONE HOUR LESSON PLAN



**Objective:** to educate students and young workers about their rights and responsibilities in the workplace under the laws enforced by the U.S. Equal Employment Opportunity Commission (EEOC).

These laws prohibit discrimination and harassment based on race, skin color, religion, sex (including pregnancy), national origin, age (40 or older), disability and genetic information. The laws also prohibit retaliation, punishment, or different treatment of an individual who opposes discriminatory practices, files a formal charge of discrimination or participates in an investigation.

**Age range:** Best for ages 14-20

**Materials:** EEOC Youth@Work video and accompanying handouts

**Procedure:**

1. Give participants a brief overview of EEOC and the federal employment laws (see attached).
2. Show the video. The video has three scenarios. After each scenario, stop the video and have participants discuss the incidents using the questions provided.
3. As homework, have participants complete the *Challenge Yourself!* assignment (optional).
4. During the next class period, discuss the answers to the homework assignment.

**Time allotment:** 1 hour. The video has three separate scenarios and is approximately 25 minutes long. The time allotted for the accompanying question & answer exercise is 30 minutes (10 minutes for a guided discussion after each of the three video scenarios). Instructors may modify the lesson plan according to time constraints. Additional materials that may be used in connection with this lesson plan can be found in the Tabs.

If the optional homework is assigned, it will take approximately 20 to 30 minutes during the next class period to discuss.





## OVERVIEW OF EEOC AND FEDERAL EMPLOYMENT LAWS

[Instructor: For more detailed information on the terms or concepts expressed in the video, and the federal anti-discrimination laws go to <http://www.eeoc.gov/laws/index.cfm>]

The U.S. Equal Employment Opportunity Commission, or EEOC, is the government agency that enforces the federal laws that prohibit job discrimination and harassment. These laws include:

- [Title VII of the Civil Rights Act of 1964 \(Title VII\)](#), which prohibits discrimination based on race, skin color, religion, sex (including pregnancy), or national origin.
- [The Equal Pay Act of 1963](#), which makes it illegal to pay different wages to men and women if they perform equal work in the same workplace.
- [The Age Discrimination in Employment Act of 1967 \(ADEA\)](#), which prohibits discrimination against individuals who are age 40 or older.
- [Title II of the Genetic Information Nondiscrimination Act \(GINA\)](#), which prohibits discrimination based on a person's family medical history or genetic information.

EEOC enforces two separate laws that prohibit discrimination against an individual with a disability. One of these laws applies only to employees who work for the federal government. The other applies to most other employees.

- [Sections 501 and 505 of the Rehabilitation Act of 1973](#), which prohibits discrimination against a person with a disability in the federal government.
- [Title I of the Americans with Disabilities Act of 1990 \(ADA\)](#), which prohibits discrimination against a person with a disability in private companies and state and local governments.

- [Retaliation](#) Federal employment laws protect applicants and employees from retaliation, or punishment, for reporting discrimination or participating in an EEOC investigation or lawsuit.

The laws enforced by EEOC cover applicants, current employees, former employees, full-time, part-time, seasonal and temporary employees, regardless of citizenship or work authorization status.

Any individual who believes that his or her employment rights have been violated should contact EEOC for information or to file a charge of discrimination. There are strict time limits for filing a charge of discrimination with EEOC. In some cases, you have 180 days from the date of the last discriminatory act to report discrimination to EEOC. However, you have 300 days to report discrimination if your complaint is also covered by a state or local anti-discrimination agency.

You should contact EEOC immediately if you believe your rights may have been violated. An EEOC representative will help you determine whether your complaint is within the correct time limit or whether another agency can help you. EEOC's services are free and you do not need a lawyer to file a charge, though you may hire one if you wish.

Additional information about EEOC and the federal anti-discrimination employment laws can be found on the Youth@Work website at [www.youth.eeoc.gov](http://www.youth.eeoc.gov) and on EEOC's website at [www.eeoc.gov](http://www.eeoc.gov).



### YOUTH@WORK VIDEO

The Youth@Work video explores discrimination and harassment based on race, skin color, religion, sex (including pregnancy), national origin, age and disability. The video also addresses retaliation.

The video features scenarios from three fictional workplaces: a fast food restaurant, a construction site, and a retail store. In the video, teens encounter a variety of potentially discriminatory situations. After each

scenario, narrators ask questions and provide information about the specific conduct depicted.

**Directions:** Play the video. After each scenario, pause the video and lead a discussion based on the questions below. Allocate approximately 10 minutes per discussion to ensure that there is enough time to watch the video and discuss each scenario.

### FAST FOOD RESTAURANT SCENARIO



1. Do you think Patti, the manager, discriminated against Gisela when she refused to let Gisela work at the drive-thru window? Patti says that Gisela is “better suited to cleaning and bussing tables than interacting with customers.”

**Patti’s statement may be national origin discrimination.**

#### **Stereotyping –**

Why did Patti make this statement? Did she have a real reason? Or does Patti believe that Hispanic employees are just better suited for cleaning than dealing directly with customers? Does Patti believe that Gisela fits her stereotype of Hispanics?

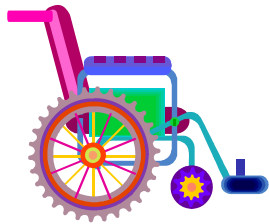
The important thing to remember here is that it is illegal for an employer to make job assignments based on stereotypes about an individual’s national origin or ethnic background.

Of course, there are many possible non-discriminatory reasons for Patti’s decision. As long as she did not take Gisela’s national origin into account when making her decision, Patti did not violate the law.

## Accent or English Fluency –

What if Gisela had an accent or was not fluent in English? Could Patti use that as a reason to deny Gisela reassignment to the drive-thru window?

Generally, if an employee's accent or English fluency does not interfere with how the job should be performed, then the employer should not take the accent or English fluency into consideration. Here, it does not appear that Gisela has an accent that would interfere with her ability to work the drive-thru window.



**2. Patti told Toni, the applicant in the wheelchair, that the restaurant was not hiring and she was not accepting applications. However, later in the scenario, Patti allowed another applicant, Erica, to submit an application. Do you think that Patti discriminated against Toni when she refused to give her an application? Why or why not?**

**It appears that Patti may have discriminated against Toni because of her disability.**

Toni and Erica are the same race (White), gender (female) and national origin (American). Neither Toni nor Erica shared any information about their qualifications or their work experience before Patti made a decision about whether or not she would accept an application. The only difference seems to be that Toni is in a wheelchair and Erica is not.

## Stereotyping –

Did Patti believe that an individual in a wheelchair is physically unable to work in the restaurant? Did Patti have any real information about Toni's ability to handle the job duties at the restaurant? Was Patti stereotyping again?

An employer cannot base an employment decision on an individual's disability if the individual is able to perform the major duties of the job, with or without an accommodation.



3. Mike believes that Patti promoted Kisha to Assistant Manager because Kisha is a woman and Patti is prejudiced against men. Do you think that Patti's selection of Kisha as Assistant Manager was discriminatory? Why or why not?

**Patti's selection was not discrimination.**

Patti explained to Mike that she promoted Kisha because of Kisha's experience, superior attendance record, and excellent customer feedback. It appears that Patti did not promote Kisha because she is female. Therefore, Patti's selection of Kisha as Assistant Manager is not discriminatory.



4. Do you think Mike expressed his concerns about Kisha's promotion appropriately? Why or why not?

**Mike did not express his concerns about Kisha's promotion appropriately.**

While Mike has the right to complain about what he thinks may be gender discrimination, he should do so in a reasonable and professional manner. For example, Mike could share his concerns with Patti or another manager privately after the meeting.

Mike's confrontational manner in front of the other crew members and any customers within earshot was not appropriate or professional. Furthermore, when Patti explained her reasons for promoting Kisha, Mike could have conducted himself in a respectful manner, instead of rolling his eyes and mumbling "Whatever" in response to her explanation.

Despite his inappropriate reaction, Mike is still protected from retaliation for complaining about a decision he thought was discriminatory. Patti or

another manager should not punish Mike for accusing Patti of discrimination. However, Patti or another manager may speak to Mike (or counsel him) about his conduct being unprofessional and inappropriate.



5. In the last scene, do you think Mike and Robert's comments to Gisela and Brianna ("cleaning is your family trade" and "go back to the kitchen and cook up some fried chicken and collard greens") constitute illegal harassment? Or were Mike and Robert just joking around?

**While their comments are harassing, they may not constitute illegal harassment.**

If this is the first time Robert and Mike made negative comments related to their coworkers' national origin or race, it is unlikely that their comments would be considered illegal harassment. If, however, these comments to Gisela and Brianna occur frequently, this conduct would violate the law even if the individual comments are not viewed as "severe."

The fact that Mike and Robert may have only been joking around is irrelevant. Many employers have zero-tolerance policies that prohibit inappropriate conduct. These employers may discipline or fire individuals who violate these policies, even if the behavior does not rise to the level of illegal harassment. In addition, individuals who behave inappropriately at work may also damage their professional reputations, which may make it difficult for them to obtain future jobs.

## CONSTRUCTION SITE SCENARIO

1. Mr. Foster, the client, asks Hailey to go to dinner with him, and suggests that she bring something sexy to change into. Hailey rejects Mr. Foster's advances, but he ignores her. Do you think that Mr. Foster sexually harassed Hailey? Why or why not?



**Yes. Even though Mr. Foster is a client, it is unlawful for the employer to allow him to make continual sexual advances on one of its employees.**

What is sexual harassment? Sexual harassment is unwelcome or unwanted sexual conduct that is either severe (serious) or pervasive (frequent). Here, it appears that Mr. Foster's conduct is sexual harassment because it is unwelcome, it is sexual in nature, and it occurs frequently.

Mr. Foster's conduct is clearly unwelcome by Hailey, as we saw by both her verbal response and her body language. The conduct is sexual in nature: Mr. Foster flirts with Hailey, asks her on a date, and tells her to "bring something sexy to change into." Finally, it appears that the conduct occurs frequently based on statements by her coworker, Wendy ("it's been going on for way too long") and her supervisor, Vince ("Listen Hailey, like I told you before...").

2. Did Hailey's supervisor, Vince, handle her complaint of harassment appropriately? Why or why not?



**Vince did not handle Hailey's sexual harassment complaint appropriately; he should have intervened immediately. In addition, retaliating against Hailey for complaining about the harassment is illegal.**

It appears that Hailey previously reported Mr. Foster's conduct to Vince, but Vince did not take any action to stop the harassment. Vince tells Hailey "[L]ike I told you before, Mr. Foster is our client and this is a multi-million

dollar contract. We don't want to lose his business." Once Vince knew about Mr. Foster's conduct, it was his responsibility to stop the harassment. Instead, he told her that he was not going to promote her and threatened to fire her if she continued to complain.

Vince should have investigated Hailey's complaint and ensured that any unlawful harassment stopped. In addition, Vince is retaliating against, or punishing, Hailey for complaining about unlawful harassment. Retaliation is illegal under federal employment law. Employees have a right to report discrimination or harassment to their company or to a government agency without being punished, treated differently, or harassed.

### 3. What rights does Hailey have regarding sexual harassment?



Hailey has the right to a workplace free of illegal harassment, including sexual harassment. Hailey has the right to report harassment and also has the right to contact EEOC or the appropriate state or local agency to file a charge without being retaliated against.



4. Sam and John believe that Vince treats them differently because of their skin color. Sam believes that John gets easier assignments because of his lighter skin tone. But John believes that Vince treats employees with a darker skin tone better. Is it legal for Vince to assign work based on employees' skin color?

No. It is illegal for employers to assign work or make other job decisions (such as hiring, firing, promotions, training, wages and benefits) based on an individual's skin color.

**[Teacher note: the actor who portrays John has a lighter skin tone than the actor who portrays Sam. However, this difference in skin tone did not translate well on film. Please explain this discrepancy to students if they**



express confusion about whether the two young men have different color skin tone.]

5. Hakim asks Vince if he can arrange his schedule so that he can pray several times a day, as required by his religion. Does Hakim have a right to make this request?



**Yes. Employees have the right to request reasonable changes to the workplace/schedule because of their religious beliefs. These requests are referred to as “religious accommodations.”**

Employees have a responsibility to let their employers know when they need workplace/schedule changes because of their religious beliefs. The request does not need to be in writing, but the employee must provide his or her employer with enough information so that the employer understands that the workplace/schedule change is being requested because of the employee’s religious beliefs.

An employer must accommodate an employee’s sincerely held religious beliefs and practices unless the accommodation would pose an undue hardship on the operation of the business. Undue hardship is something that is costly, interferes with efficient business operations, or interferes with the rights of co-workers.

## RETAIL STORE SCENARIO

1. Do you think that Scott's comment to Anuj about his father being a taxi driver constitutes illegal harassment? What about Scott and Anuj's comment about Jack, the greeter, taking a nap? Or were Scott and Anuj just joking around?



**Their comments were inappropriate, but not severe or pervasive.** Generally, one or two isolated comments do not constitute unlawful harassment, unless the comments are severe. In this scene, if these were the first negative comments about national origin or age that Scott and Anuj made, it is unlikely that their comments would be considered illegal harassment. If, however,

these comments occur frequently, this conduct could violate the law even if the individual comments are not viewed as "severe."

However, many employers have zero-tolerance policies that prohibit inappropriate conduct. These employers may discipline or fire individuals who violate these policies, even if the behavior does not rise to the level of illegal harassment.

Scott and Anuj's conduct was inappropriate. Employees should not make disrespectful or derogatory remarks because co-workers, customers, and other individuals within earshot may find such comments offensive. The fact that Scott and Anuj may have only been joking around is irrelevant.

## 2. Do you think that Olivia sexually harassed David? Why or why not?



**Yes. Olivia made repeated unwelcome sexual advances towards David.**

Sexual harassment is unwelcome or unwanted sexual conduct that is either severe (serious) or pervasive (frequent).

Olivia's conduct is clearly unwelcome by David, as we saw by both his verbal responses and his body language. The conduct is sexual in nature: Olivia flirts with David, hugs him over his objections, and leaves pictures of her in his locker. And it appears the conduct occurs frequently based on David's comments (" [T]he way you're acting is really unprofessional and it makes me uncomfortable. I've told you that before." Later, David tells Isabel, the supervisor, that he's told Olivia that he's uncomfortable with her behavior "over and over.")

Federal law protects both men and women from workplace sexual harassment.

**3. Do you think David and his supervisor responded appropriately to Olivia's conduct? Why or why not?**



**Yes, they both responded appropriately.** David clearly and repeatedly told Olivia that he found her behavior unwelcome. David then reported Olivia's conduct to his supervisor, Isabel. Isabel responded appropriately by indicating that she will put a stop to the harassment.

Employees who believe that they are being subjected to sexual harassment (or other unlawful harassment) should ask the harasser to stop. If they don't feel comfortable confronting the harasser or the harassment continues, they should report it to a manager.

Especially in cases of harassment, it is important to act promptly. Once an employer knows about harassment, it has a responsibility to correct the situation and prevent future harassment. Reporting harassment promptly may resolve the problem quickly and effectively, creating a better work environment for everyone.

**4. Do you believe Colin acted appropriately when he told Isabel that he would need a sign language interpreter for the staff meeting? Why or why not?**



**Yes, Colin acted appropriately.** Employees with disabilities have the right to request reasonable accommodations, or workplace changes, that permit them to apply for a job, perform a job, access the workplace, and enjoy the same benefits available to other employees. An employer is required to grant a request for a reasonable accommodation unless the accommodation would cause significant difficulty or expense. Here, Colin's request for a sign language interpreter at a staff meeting appears reasonable since an interpreter should not be difficult to obtain or expensive.

5. Do you think Isabel responded appropriately to Colin's request for a sign language interpreter for the staff meeting? Why or why not?



**Isabel's response is not entirely appropriate.** Isabel says that she is not sure the company can provide a sign language interpreter because of the cost and asks Colin whether he can just read lips during the meeting. Colin explains that while he can read lips one-on-one, in a room full of people speaking, he needs a sign language interpreter to follow along. Isabel still appears reluctant and compares Colin to a former employee who had a hearing impairment and who didn't require an interpreter. In the end, Isabel grudgingly indicates that she will find out whether the company can arrange for an interpreter.

Everyone's needs and abilities are different. Some individuals with hearing impairments use sign language, some use their voices, some read lips, and others use hearing aids. Similarly, some individuals with vision impairments wear corrective glasses, some use talking software on their computers, some read Braille.

In this scenario, Isabel's response was not entirely appropriate because she appeared reluctant to agree to provide an interpreter and found it difficult to understand that two individuals with the same impairment might have different needs and abilities. However, her response was not entirely inappropriate because in the end, she agrees to find out whether the company can arrange for an interpreter.

6. What do you think of the store's policy that an employee who is visibly pregnant must take leave until after she gives birth? Who has the right to decide when a pregnant employee goes on maternity leave—the employee, or the company?



**It is illegal to discriminate against female employees because of pregnancy. Employers must permit pregnant employees to work as long as they are able to perform their job duties.** It is up to the employee and her doctor, not the company, to decide when she needs to take maternity leave. A policy that employees cannot work if they are visibly pregnant is unlawful. Here, Isabel appears

able to perform her job. Therefore, it is illegal for the company to force her to take maternity leave.

### GENERAL QUESTION



**What should you do if you believe you are being harassed or discriminated against at work because of your race, color, religion, sex, national origin, age, disability or genetic information?**

**Request that the harassment/ discrimination stop.** Tell the person harassing or discriminating against you that you find his or her behavior unwelcome. If you don't feel comfortable confronting the harasser/discriminator or the conduct does not stop, tell your employer.

**Report the harassment/discrimination to your employer.** Find out if your company has a policy on harassment and discrimination. The policy should tell you who in your company is responsible for handling complaints of harassment and discrimination. If you are

uncomfortable talking to the designated person, you should talk to your manager or another manager in your company.

**Talk to a parent or another trusted adult.** You should also talk to a parent, teacher, guidance counselor, or another trusted adult about the harassment/discrimination.

**Contact the EEOC.** You may also contact EEOC to request information, solicit advice, or file a charge of discrimination. The EEOC's services are free, and you do not need a lawyer to file a charge.

**Act promptly.** It is important to promptly report workplace harassment and discrimination. Once your employer knows about the harassment/discrimination, it has a responsibility to correct the situation and protect you from further harassment/discrimination. Furthermore, you might not be the only individual subjected to inappropriate conduct. Reporting harassment and discrimination promptly may resolve the problem quickly and effectively, creating a better work environment for everyone.

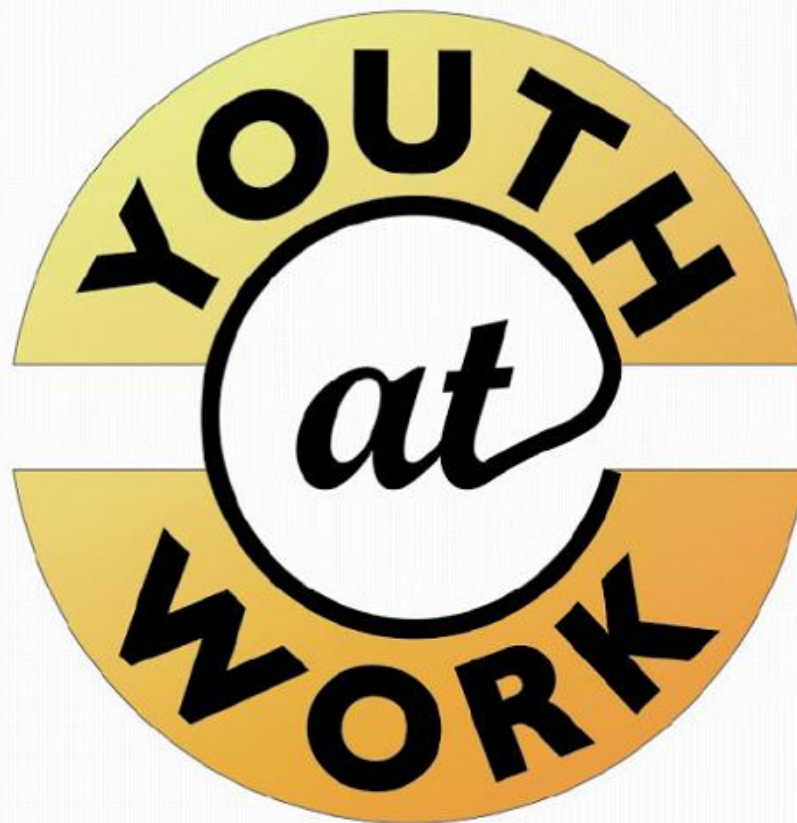
Also, there are strict time limits to file a charge of discrimination with EEOC. You have 180 days from the date of the last discriminatory action to file a charge of discrimination with EEOC. This time limit is extended to 300 days under certain circumstances. For more information, go to <http://www.eeoc.gov/employees/timeliness.cfm>

Keep in mind that it is illegal for your employer to retaliate against you (punish you) for reporting harassment or discrimination to the company or to a government agency.

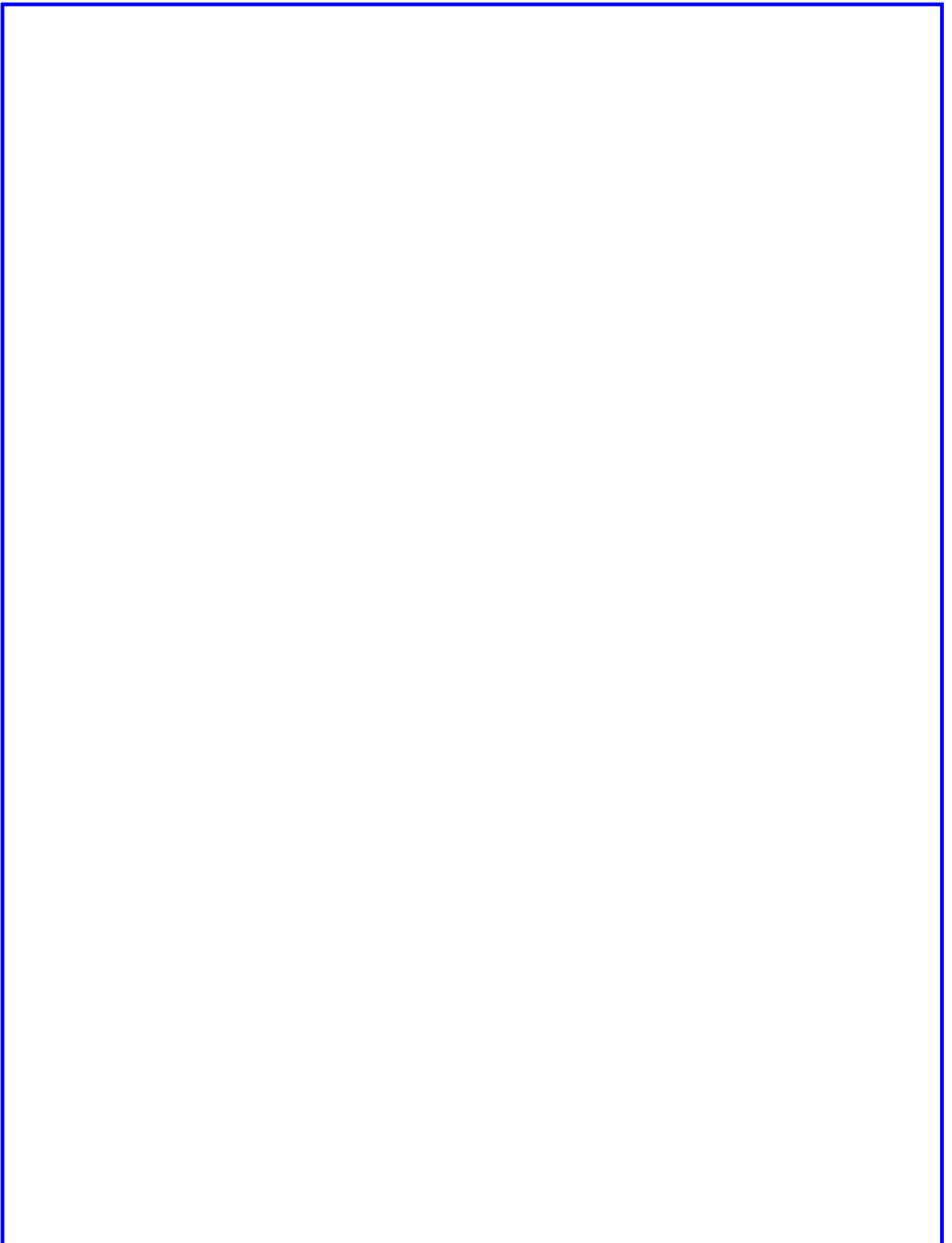




# Optional Assignment Research/Writing



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## OPTIONAL EXERCISE Research/Writing Assignment Teacher Guide

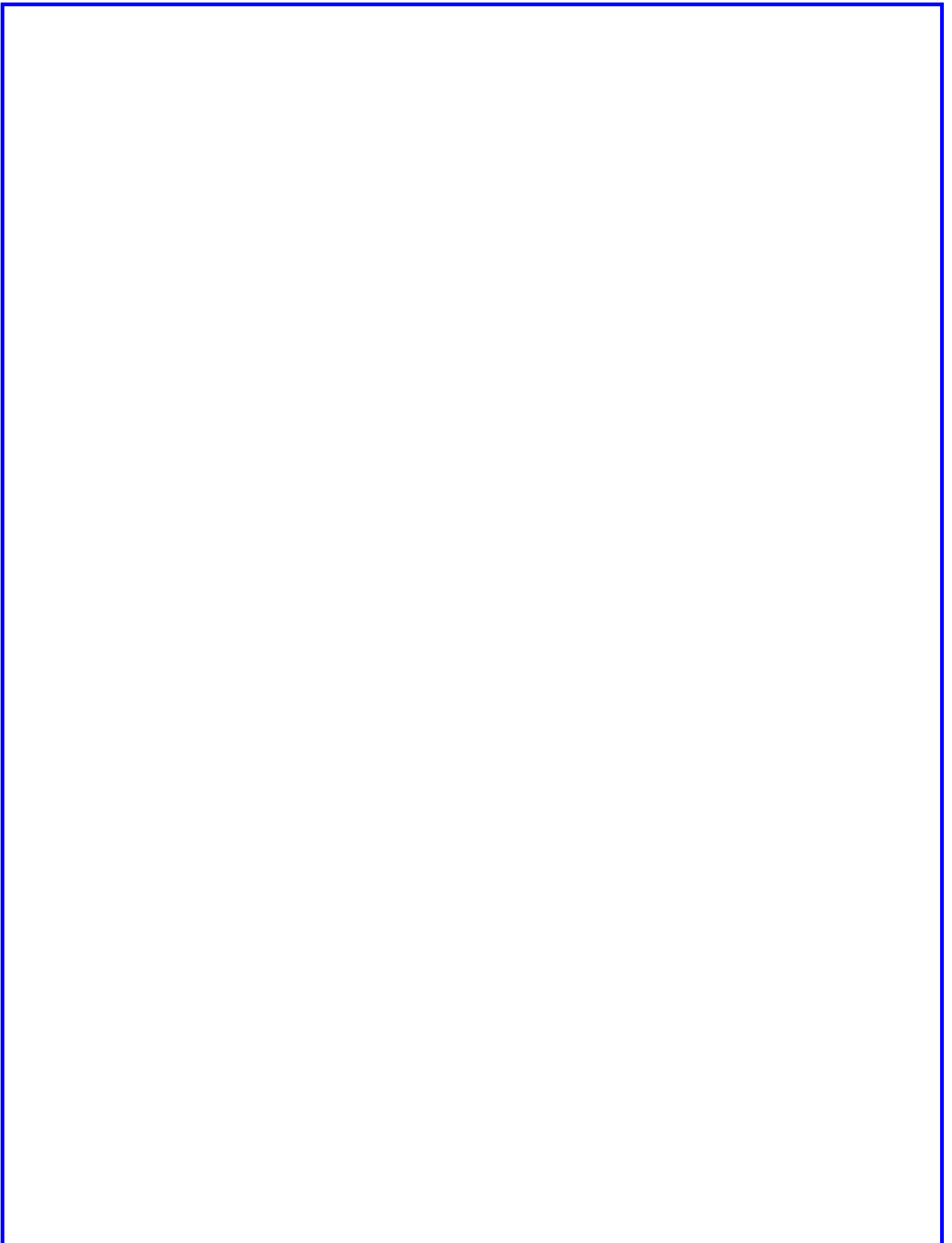


**[Teacher Note: This is an optional exercise that may be assigned as homework. If assigned, have students select one of the following topics and write a brief essay.]**

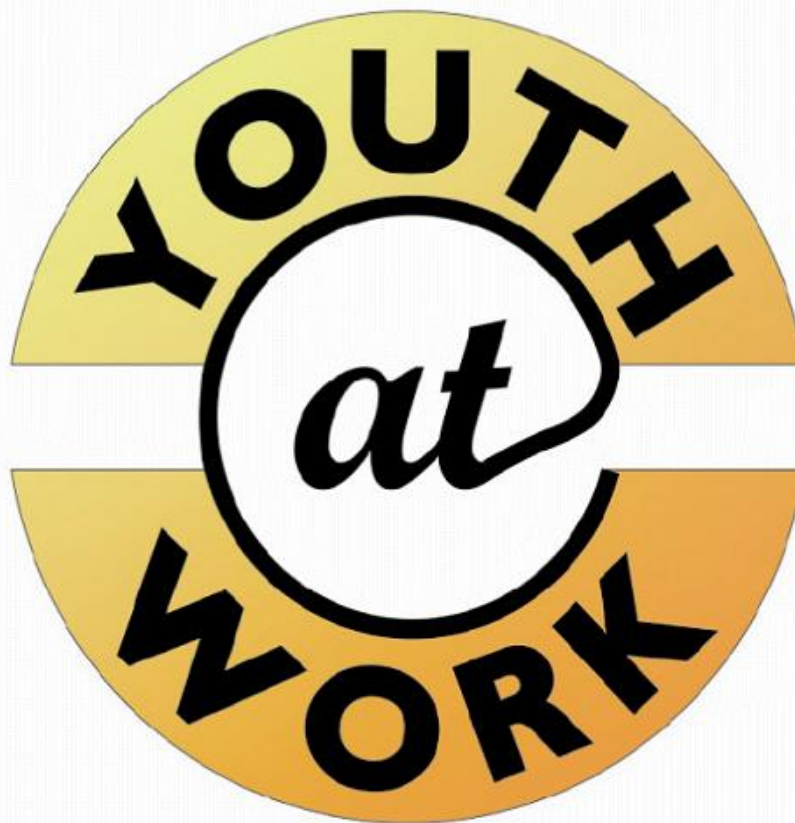
1. Federal law prohibits discrimination and harassment based on eight categories (race, skin color, religion, gender (including pregnancy), national origin, disability, age (40+) and genetic information). Research the local employment laws for your city, county or state. What categories does your local law cover?

Hint: First, visit <http://www.eeoc.gov/field/index.cfm> and select the EEOC office closest to your work, home or school. Then, select "State and Local Agencies" from the left menu. The website for the appropriate state and local agency should list all of the categories protected by that state or local law.

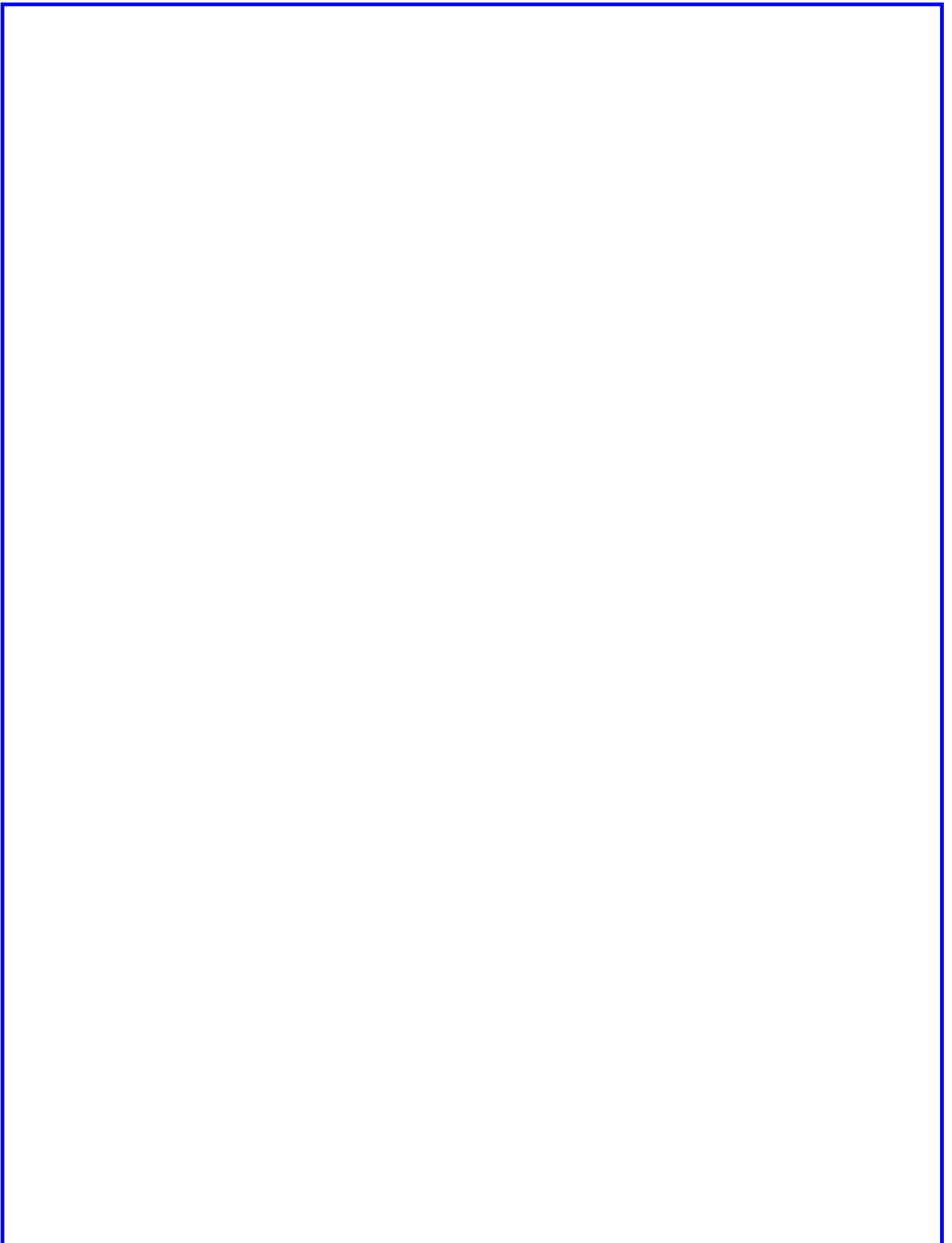
2. Explain why it is important for you to understand your workplace rights and responsibilities.



# Optional Exercise Challenge Yourself!



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## OPTIONAL EXERCISE Challenge Yourself! Teacher Guide



**[Teacher Note: This is an optional exercise that may be assigned as homework. If the optional homework is assigned, it will take approximately 30 minutes during the next class period to discuss.]**

**Directions: Learn more about job discrimination and EEOC by completing the following multiple choice quiz.**



1. Wanda, who is African-American, works in the storeroom at a grocery store. On Wanda's first day, one of the delivery men, who is White, is very rude to her. Since then, this delivery man has attached negative jokes or cartoons about African-Americans to packages he leaves with Wanda. What should Wanda do?

- A. Wanda should do nothing. The delivery man does not work for the grocery store, so the store can't be held responsible for his conduct.
- B. Wanda should tell the delivery man that his behavior is offensive, and that it must stop immediately.
- C. Wanda should tell her supervisor or any other store supervisor or manager responsible for handling harassment and discrimination complaints about the delivery man's conduct.

**D. Both B and C are correct.**

A is incorrect. Employers may be held responsible for harassment, even when the harasser is not an employee, if the employer knew about the harassment and did not act to correct the situation. The store could, for example, contact the delivery company to request a different delivery person handle the store's package delivery.

B is correct. Although Wanda is not legally required to confront the delivery man, she should, if she feels comfortable, ask the delivery man to stop harassing her. Wanda should also report the delivery man's conduct to her supervisor or any other store supervisor or manager responsible for handling harassment and discrimination complaints.

C is correct. Even if Wanda does not ask the delivery man to stop harassing her, she should report the harassment to the grocery store immediately. Once the store knows Wanda is being harassed because of her race, it has a responsibility to correct the situation and protect her from further harassment.

D is correct. By addressing the harassment with both the delivery man and her employer, Wanda maximizes her opportunity to resolve the situation quickly. Wanda also could talk to her parents or call the EEOC for help, especially if her employer is unwilling to help her correct the situation.





2. Tim and Angie, who is the team leader, work at a local amusement park. They recently broke up after dating for several months. Angie begins following Tim at work and begs him to give her another chance. When Tim refuses, Angie changes Tim's schedule so she won't have to work with him. As a result, Tim's hours are cut in half. Is Angie's behavior sexual harassment?

**A. Yes. It was illegal for Angie to reduce Tim's hours because he refused to date her. Angie also should have stopped asking Tim out after they broke up.**

B. No. Angie's behavior is not sexual harassment because Angie has not kissed or hugged Tim. Angie reasonably tried to stay away from Tim after he refused to give her another chance.

C. No. Angie's behavior is not sexual harassment because she and Tim used to date. It is impossible for people who used to be in a relationship to sexually harass each other.

D. No. Angie's behavior is not sexual harassment because only women can be sexually harassed.

**A is correct. Once Tim told Angie that he no longer wanted to date her, Angie should not have continued to ask him out or otherwise harassed him. In addition, it was illegal for Angie to reduce Tim's hours because he refused to date her, even if Angie made the schedule change so they could avoid each other.**

B is incorrect. Sexual harassment can be based on verbal remarks even if there is no physical touching. Plus, a manager cannot make a negative decision about your job, such as cutting your hours or reducing your pay, because you refuse to date him or her.

C is incorrect. Angie's behavior is sexual in nature and Tim has made it clear to Angie that her advances are no longer welcome. Angie's behavior is sexual harassment.

D is incorrect. Federal law protects both men and women from sexual harassment.

3. Jorge, a Honduran citizen living in the United States, accepted a summer job with a landscaping company. On his first day, Jorge broke a lawn mower, prompting the customer to yell at him. The customer called Jorge “stupid” and complained that foreign kids like Jorge were stealing jobs from hard-working Americans. Jorge did not see the customer again during the rest of the summer. Is the customer’s treatment of Jorge illegal harassment?



- A. No. Because the customer does not work for the landscaping company, the company cannot be held legally responsible for the customer’s conduct.
- B. No. Although the customer’s conduct was offensive and was directed at Jorge because of his national origin, it was not sufficiently severe (serious) or pervasive (frequent) to establish a harassment claim.**
- C. No. Because Jorge is not an American citizen, he is not protected by U.S. employment discrimination laws.
- D. Yes. It is illegal to harass someone at work for any reason.

A is incorrect. An employer may be held responsible when its employees are harassed by a customer if the employer knew or should have known about the harassment and did not act to correct the situation.

**B is correct. For workplace harassment to be illegal the conduct must either be very serious or it has to occur frequently. One instance of harassing conduct is generally not illegal, unless the conduct is very serious, such as a physical assault.**

C is incorrect. Persons who are not citizens of the United States are protected by the U.S. employment discrimination laws while they are working in the United States for an employer covered by these laws.

D is incorrect. Not all workplace harassment is illegal. In this case, the customer yelled at Jorge on only one occasion, and no severe conduct such as a physical assault was involved.



4. Andrew and Samantha went to an employment agency to find temporary jobs for the summer. The agency refers Samantha to a receptionist job at a law firm. The agency tells Andrew that it cannot refer him for the receptionist position because the law firm requested a young lady. Did the employment agency discriminate against Andrew?

- A. No. The laws only apply to employers and not employment agencies that refer you to other companies.
- B. No. Andrew is not protected from discrimination because he is an applicant, not an employee.
- C. No. The employment agency was only following the orders of the law firm, which refused to hire a man as a receptionist. The law firm, and not the agency, is responsible for the discrimination.

**D. Yes. An employment agency cannot refuse to refer someone for a receptionist position because he is a male.**

A is incorrect. Federal law applies to private companies, state and local government agencies, schools and colleges, non-profit organizations, unions, and employment agencies. They also apply to all federal government agencies.

B is incorrect because federal law protects employees, applicants, and former employees from discrimination.

C is incorrect. Federal law prohibits employment agencies from discriminating against their own employees as well as in their referral practices. An employment agency may not honor an employer's request if it is discriminatory.

**D is correct. Federal law prohibits employment agencies from discriminating against their own employees as well as in their referral practices. It was illegal for the employment agency to refer only Samantha to the law firm, if Andrew was also qualified for the receptionist job. [EEOC would also investigate the law firm for placing an illegal job order with the employment agency].**

5. Jeanette was offered a job as a waitress at a local restaurant. At the end of her interview, she mentioned that she was pregnant, but that she was perfectly capable of performing her duties as a waitress. When Jeanette called to get her start date, the manager said he had hired someone else. He said he was afraid that Jeanette would hurt her baby carrying heavy trays of food and that the customers might not like having a pregnant woman waiting on them. He invited her to reapply after she had her baby. Is the manager's decision illegal?



- A. No. The manager did not discriminate against Jeanette because he invited her to reapply after she gave birth, and refused to hire her only out of concern for the health and safety of Jeanette and her baby.
- B. Yes. The manager discriminated against Jeanette when he refused to hire her because she is pregnant.**
- C. No. The manager can legally decide not to hire Jeanette because restaurant customers may not want pregnant servers.
- D. Yes. Once the manager offered Jeanette the job, he had no right to change his mind and hire someone else.

A is incorrect. It is illegal for the manager to refuse to hire Jeanette solely because she is pregnant. It does not matter whether the manager's decision was based on concern that Jeanette's baby may be harmed.

**B is correct. As long as Jeanette can perform her duties as a waitress, the manager cannot deny her the job just because she is pregnant.**

C is incorrect because customer preferences do not justify discrimination.

D is incorrect. The laws enforced by EEOC do not prevent the manager from deciding to hire someone else, as long as he did not base his decision on Jeanette's pregnancy (or on some other characteristic covered by the anti-discrimination laws, such as her gender or race).



6. Quincy has worked at a clothing store for six months and has received good performance reviews from his manager. Two weeks ago, Quincy's girlfriend stopped by the store. Since then, the manager has been watching Quincy closely. Today, the manager fired Quincy, explaining that sales were down. A co-worker told Quincy that the manager was looking for a reason to fire Quincy because she disapproved of Quincy's interracial relationship. Quincy is African-American and his girlfriend is White. Is this treatment illegal?

- A. Yes. The manager illegally discriminated against Quincy if she fired him because of his interracial relationship.**
- B. No. The manager may have disapproved of Quincy's interracial relationship, but she did not fire him until two weeks after meeting his girlfriend. If the manager had fired Quincy the day after meeting his girlfriend, then the firing may have been illegal.
- C. No. Sales are down, and the manager has the right to fire any employee she chooses.
- D. Yes, but Quincy must hire a lawyer, and must pay EEOC to investigate and decide the case.

**A is correct. It is illegal for employers to make employment decisions based on an employee's relationship with someone of a different race.**

B is incorrect. The events may still be linked. The two week delay between the manager learning of Quincy's interracial relationship and firing him does not necessarily mean that the two events are not linked. Two weeks is a short period of time and the statement of Quincy's co-worker suggests that the manager may have fired Quincy because of his girlfriend's race.

C is incorrect. Even if sales are down, the manager cannot fire Quincy because of his interracial relationship. If an employer decides to cut staff for economic reasons, it cannot use discriminatory reasons to choose the particular employee for layoff.

D is incorrect. EEOC's services are free. You do not need an attorney to file a charge with the EEOC. Furthermore, you do not need to pay the EEOC to investigate and decide your case.

7. Naira, who is Native American, works part-time at a bowling alley. She tries to register for the company's manager training program, but her supervisor tells her that the class is already full, commenting, "It's just as well. After all, you'll make a lot more money working at a casino on your people's reservation." Two days later, the supervisor allows five of Naira's co-workers, none of whom are Native American, to register for the training program. Is the supervisor's conduct illegal?



A. No. Naira works part-time, and federal law does not protect part-time workers from employment discrimination.

B. No. Federal employment law does not prohibit discrimination in management training programs.

**C. Yes. If the supervisor refused to allow Naira to register for the training program because of her race (because she is Native American), he has engaged in unlawful discrimination.**

D. Yes. The supervisor discriminated against Naira because of her race when he refused to allow her to register for the training program. In addition, the supervisor's remark about Naira working at a casino on "[her] people's reservation" is illegal harassment based on Naira's race.

A is incorrect. Federal law protects full-time, part-time, seasonal, and temporary employees from employment discrimination if they work for an employer covered by these laws. Almost all employers with at least 15 employees are covered by the federal anti-discrimination laws.

B is incorrect. Federal laws apply to all types of work situations, including admission to management training programs and other job training, hiring, firing, promotion, pay, etc.

**C is correct. The supervisor's decision to allow five non-Native American employees to register for the training program after telling Naira that the class was full, along with his comment to Naira, suggest that he may have denied Naira access to the manager training program because she is Native American.**

D is incorrect. The supervisor's conduct suggests that he may have discriminated against Naira because she is Native American when he refused to allow her to register for the training program. However, the supervisor's comment stereotyping Native Americans working on reservations is not sufficiently severe or frequent to constitute illegal harassment. To the extent this comment shows bias against Native-Americans, however, it may be further evidence that the supervisor refused to allow her into the training program for an unlawful reason.



8. Rosa spends her summers working on a fruit farm. The farm owner docks her pay whenever she is late for work, but allows non-Mexican workers to make up the time at the end of the day. Rosa believes the farm owner treats her differently because she is from Mexico. A friend tells Rosa to call the EEOC for help, but she is afraid because she is an undocumented worker. Can the EEOC help Rosa?

- A. No. Undocumented workers are not protected by United States anti-discrimination laws.
- B. No. The farm owner has a right to dock Rosa's pay if she is late for work.
- C. No. Rosa only works for the fruit farm on a seasonal basis, so she is not protected by the federal anti-discrimination laws.
- D. Yes. Rosa may have been the victim of wage discrimination because of her national origin. EEOC can help Rosa even if she is an undocumented worker.**

A is incorrect. Federal anti-discrimination laws prohibit discrimination against employees who work in the United States for covered employers, regardless of citizenship or work authorization.

B is incorrect. It is illegal for the farm owner to dock Rosa's pay if he is treating her differently because of her national origin, Mexican (or on some other characteristic covered by the anti-discrimination laws, such as her race or color).

C is incorrect. Federal law protects full-time, part-time, seasonal, and temporary employees from employment discrimination if they work for a covered employer. Employers with at least 15 employees are covered by the federal anti-discrimination laws.

**D is correct because federal anti-discrimination laws protect all employees who work in the United States for covered employers, regardless of their citizenship or work authorization. EEOC will investigate Rosa's claim to determine how the employer treats other employees who are late. Nonetheless, the law may limit the damages available to Rosa if discrimination is found because she is undocumented.**



9. Amardeep, who is Sikh, wears a turban, as required by his religion. His supervisor tells him that his turban makes his co-workers “uncomfortable” and asks him to remove it. The supervisor also claims that employees are not allowed to wear hats or other head coverings at work. What should Amardeep do?



- A. Amardeep should remove the turban so he doesn't make his co-workers uncomfortable.
- B. Amardeep should explain to his supervisor that he wears the turban as part of his religious beliefs. Amardeep also should ask his employer to make an exception to the “no hats” rule so that he may wear his turban.**
- C. Amardeep should remove the turban because his supervisor is trying to protect him from harassment by his co-workers.
- D. Amardeep should remove the turban immediately because his employer doesn't allow anyone to wear hats or other head coverings at work.

A is incorrect. The fact that Amardeep's co-workers are uncomfortable is not a good enough reason for his employer to refuse his request to wear the turban at work because of his religious beliefs.

**B is correct. If Amardeep wants a religious accommodation, he has a responsibility to explain to his employer that the reason he is asking for an exception to the “no hats” rule is so that he can observe his religion.**

C is incorrect. Amardeep's employer must allow him to wear the turban as an accommodation for his religious beliefs, unless granting the request would be too costly or disruptive. For example, if the “no hats” rule was based on safety concerns that workers would be injured by a hat caught in moving machinery parts, the employer may not be required to grant the request. The employer also must protect Amardeep from being harassed at work because he wears the turban as part of his religious beliefs.

D is incorrect. Employers must agree to reasonable changes to workplace rules in order to allow an employee to observe his religious beliefs, unless it would be too costly or disruptive to do so.



10. Juanita recently graduated from high school and began work as a shift manager at a retail store that specializes in clothing for juniors. She does not get along with an older employee (age 45) who works part-time. At one staff meeting, Juanita gave the older employee a cane as a joke. On another occasion, Juanita told the older employee to take the afternoon off and go home to take a nap. Juanita regularly refers to this older employee as "Grandma." After several months, Juanita decides to fire the older employee because she wants to hire someone younger. Juanita believes a younger employee will relate better to the store's teen customers. Is this conduct illegal?

- A. **Yes. Federal law protects workers age 40 or older from job discrimination and harassment based on their age.**
- B. No. The federal age discrimination law does not apply to teenage workers, so it is not illegal for Juanita to fire the older employee.
- C. No. As a manager, Juanita has the authority to make decisions about hiring and firing employees.
- D. No. Juanita did not discriminate against the older employee because it is important for a retail store that markets to teenagers to hire workers who are the same age as its customers.

**A is correct. It is unlawful to discriminate against or harass employees who are 40 or older because of their age.**

B. is incorrect. Federal law does not protect teenage workers from age discrimination in employment. However, it is illegal for managers, supervisors and co-workers, including teenagers, to discriminate against or harass older employees (age 40 and above) because of their age.

C is incorrect. Although Juanita may be responsible for making decisions about who to hire and fire, it is against the law for her to fire someone age 40 or older because she thinks the person is too old.

D is incorrect. There is no indication that the older employee cannot perform her job, including helping the store's teenage customers. Juanita does not have any complaints about the older employee's performance.

Juanita's decision appears to be based on stereotypes about older workers and, therefore, is a violation of federal law.

**FUN FACT:** Federal law prohibits age discrimination against workers age 40 or older. However, some state or local laws protect workers younger than 40 from age discrimination. Does your state or locality protect younger workers from age discrimination at work? Research and find out!

11. Jamal, a cashier at a retail store, asks his Store Manager to order special equipment for the cash register because he has low vision and cannot see the number keys. The Store Manager agrees to Jamal's request and orders the special equipment. Later that day, the Store Manager tells one of Jamal's co-workers about the special equipment she ordered because Jamal has trouble seeing the number keys on the cash register. The co-worker is surprised and says she didn't know that Jamal was "blind as a bat." The next day, Jamal's co-workers call him Batman and flap their arms and squint when they see him. Jamal complains to the Store Manager about this behavior, and she immediately corrects the problem. Jamal's co-workers do not make any more comments about his vision. Did the Store Manager respond correctly to Jamal's requests?



- A. No. The Store Manager should not have granted Jamal's request for the special equipment because Jamal did not put his request in writing.
- B. Yes. The Store Manager responded correctly to Jamal's request for special equipment because of his low vision. She also acted quickly to stop his co-workers from harassing him. The Store Manager had a responsibility to tell the co-worker about Jamal's disability so the co-worker would understand why Jamal was using special equipment on the cash register.
- C. No. The Store Manager responded correctly to Jamal's request for special equipment due to his low vision and to his complaint about co-worker harassment, but she should not have discussed Jamal's disability or need for special equipment with his co-workers.**
- D. Yes. The Store Manager was acting in Jamal's best interest when she helped him obtain special equipment for the cash register, mentioned his disability to a co-worker, and stopped the co-workers from teasing him. The Store Manager thinks Jamal is a good employee and was only trying to protect him.

A is incorrect. If Jamal needs an accommodation, or change in the workplace because of his disability, he does not have to make the request in writing. Making the request in person—as Jamal did in this example—is fine. Regardless of how he makes the request, Jamal must provide enough information so his employer can decide how to help him.

B is incorrect. The law requires that the Store Manager keep Jamal's medical information private, with very limited exceptions. There is no exception in the law that permits sharing medical information with co-workers. Therefore, the Store Manager should not have discussed Jamal's disability with his co-workers.

**C is correct. The Store Manger handled Jamal's request for an accommodation, or workplace change because of his disability, correctly. She also handled Jamal's complaint about co-worker harassment correctly. However, the Store Manager is required to keep Jamal's medical information private, with very limited exceptions. There is no exception in the law that permits sharing medical information with co-workers. Therefore, the Store Manager should not have discussed Jamal's disability with his co-workers.**

D is incorrect. Although the Store Manager may have had Jamal's best interests in mind, she should not have discussed his medical information with a co-worker. The law requires that the Store Manager keep Jamal's medical information private, with very limited exceptions. There is no exception in the law that permits sharing medical information with co-workers. Therefore, the Store Manager should not have discussed Jamal's disability with his co-workers.



12. Maria applies to work as a summer intern at a radio station. The interview goes well. A Human Resources employee conducts a background check, which includes an Internet search of Maria's name. Maria's Facebook page appears in the Internet search results. The Facebook page, which is available for public viewing, features a picture of Maria standing next to

a mile marker in a T-shirt imprinted with "My Aunt is My Hero" and a pink ribbon. Touched, the Human Resources employee conducts an Internet search for Maria's name and "breast cancer" and learns that Maria's aunt was diagnosed with breast cancer but is responding well to treatment. The Human Resources employee writes a note on the white board in his office: "Touch base with Maria: aunt's cancer treatment." The employee's sister was recently diagnosed with breast cancer, and he is interested in learning more about successful treatments. Maria is hired. Did the company discriminate against Maria?

- A. No. The company did not discriminate against Maria; it hired her as a summer intern.
- B. Yes. The company discriminated against Maria by viewing her Facebook page.
- C. Yes. The company discriminated against Maria by seeking out information about her aunt's breast cancer and posting a note in public about Maria and her aunt's cancer treatment.**
- D. No. The Human Resources employee should not have conducted the Internet search for Maria's name and "breast cancer" and should not have written "Touch base with Maria: aunt's cancer treatment" on his white board. However, the employee took these actions to help his sister, not to hurt Maria.

A is incorrect. The company violated the law by conducting an Internet search for Maria's name and "breast cancer" and by publicly posting "Touch base with Maria: aunt's cancer treatment." The law prohibits employers from seeking out genetic information, including family medical history, of applicants and employees. The law also requires employers to keep genetic information of applicants and employees confidential, with very limited exceptions that do not apply in this example.

B is incorrect. Employers are allowed to use publicly available information, such as information available on Facebook pages, to make employment decisions, as long as they do not use the information to discriminate. For example, it would be illegal for the company to decide not to hire Maria after learning that her aunt has breast cancer out of fear that Maria would also develop breast cancer.

The law prohibits employers from seeking out genetic information (such as family medical history) of applicants or employees. However, the law does not prohibit employers from accidentally obtaining genetic information from commercially and publicly available sources, such as newspapers, magazines, and certain online sources. Here, it appears that the company accidentally obtained Maria's family medical history when it went to her public Facebook page. The company was not seeking Maria's genetic information, but accidentally discovered the information from a public web site that was not likely to contain genetic information. Therefore, the company did not violate the law.

**C is correct. The company violated the law by conducting an Internet search for Maria's name and "breast cancer" and by publicly posting "Touch base with Maria: aunt's cancer treatment." The law prohibits employers from seeking out genetic information, including family medical history, of applicants and employees. The law also requires employers to keep genetic information of applicants and employees confidential, with very limited exceptions that do not apply in this example.**

D is incorrect. The company violated the law by conducting an Internet search for Maria's name and "breast cancer" and by publicly posting "Touch base with Maria: aunt's cancer treatment." The law prohibits employers from seeking out genetic information, including family medical history, of applicants and employees. The law also requires employers to keep genetic information of applicants and employees confidential, with very limited exceptions that do not apply in this example. The fact that the employee intended to use this information to help his sister, and not to discriminate against Maria, is not relevant.

13. Daniel filed a charge of discrimination against the company he worked for last summer – a swimming pool supply and service company. As part of the investigation, an EEOC investigator spoke to one of Daniel’s co-workers, Brian, who agreed that the supervisor treated Daniel unfairly. As a result of the EEOC investigation, the supervisor called both Daniel and Brian at home and yelled at them for talking to the EEOC. The supervisor also gave them negative references. Prior to the EEOC investigation, the supervisor had no complaints about Daniel or Brian’s job performance. Did the supervisor violate the law?



- A. Yes. The supervisor illegally retaliated against Daniel by giving him a negative reference because he filed a charge of discrimination with the EEOC. It was also illegal for the supervisor to give Brian a negative reference because Brian participated in the EEOC investigation.
- B. No. It was reasonable for the supervisor to yell at Daniel and Brian and give them negative references because the EEOC investigation was disruptive to the workplace.
- C. No. The supervisor did not violate the law because he called Daniel and Brian at their homes, and not at work.
- D. No. Federal law only protects current employees from discrimination. Because Daniel and Brian were no longer employed by the company when they spoke to the EEOC, it was not illegal for the supervisor to yell at them and give them negative references.

**A is correct. You are protected from retaliation, or being punished, treated differently, or harassed, for complaining about job discrimination, filing a charge of discrimination, or cooperating with an investigation about discrimination. This is true even if it turns out that the conduct you complained about to the EEOC was not illegal.**

B is incorrect. It is illegal for the supervisor to harass or treat Daniel differently because he filed a charge of employment discrimination with the EEOC. Brian is also protected from harassment or different treatment



because he spoke to an EEOC investigator. This is true even if the EEOC concludes that there was no discrimination.

C is incorrect. It is illegal for the supervisor to harass or treat Daniel and Brian differently because they filed a charge of discrimination or participated in an investigation of discrimination. The fact that the supervisor contacted them at home is not relevant.

D is incorrect. Federal law protects applicants, employees, and former employees from retaliation. Therefore, it was illegal for the supervisor to harass Daniel and Brian and give them negative references for filing a discrimination charge and assisting in an investigation of employment discrimination, even though they were no longer employed by the company.

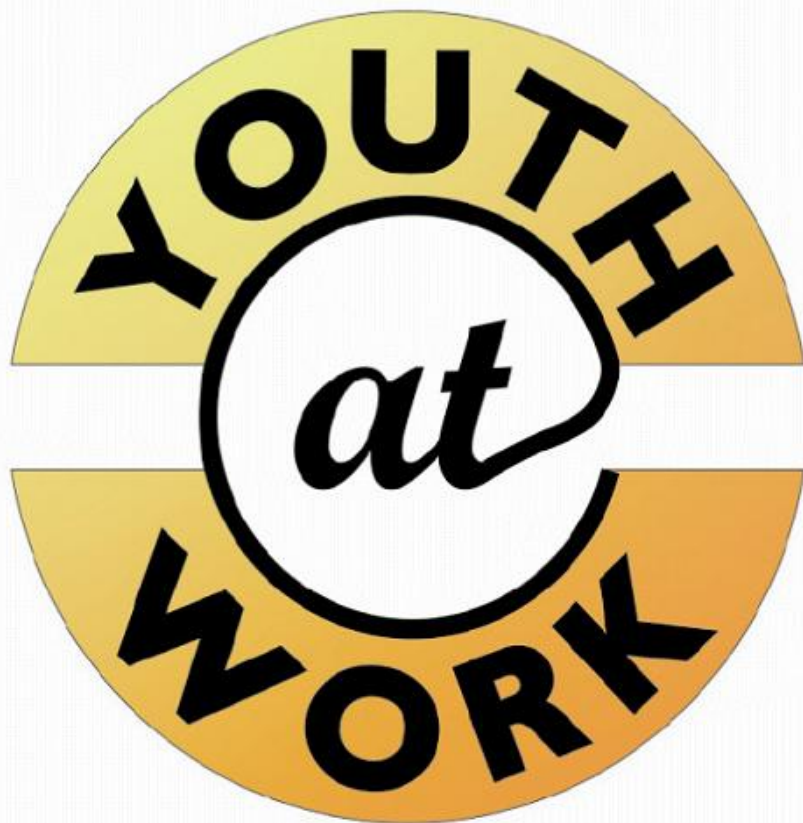


**14. I am interested in learning more about the EEOC. I would also like to share information about student workers' rights and responsibilities with my friends. How can I do this?**

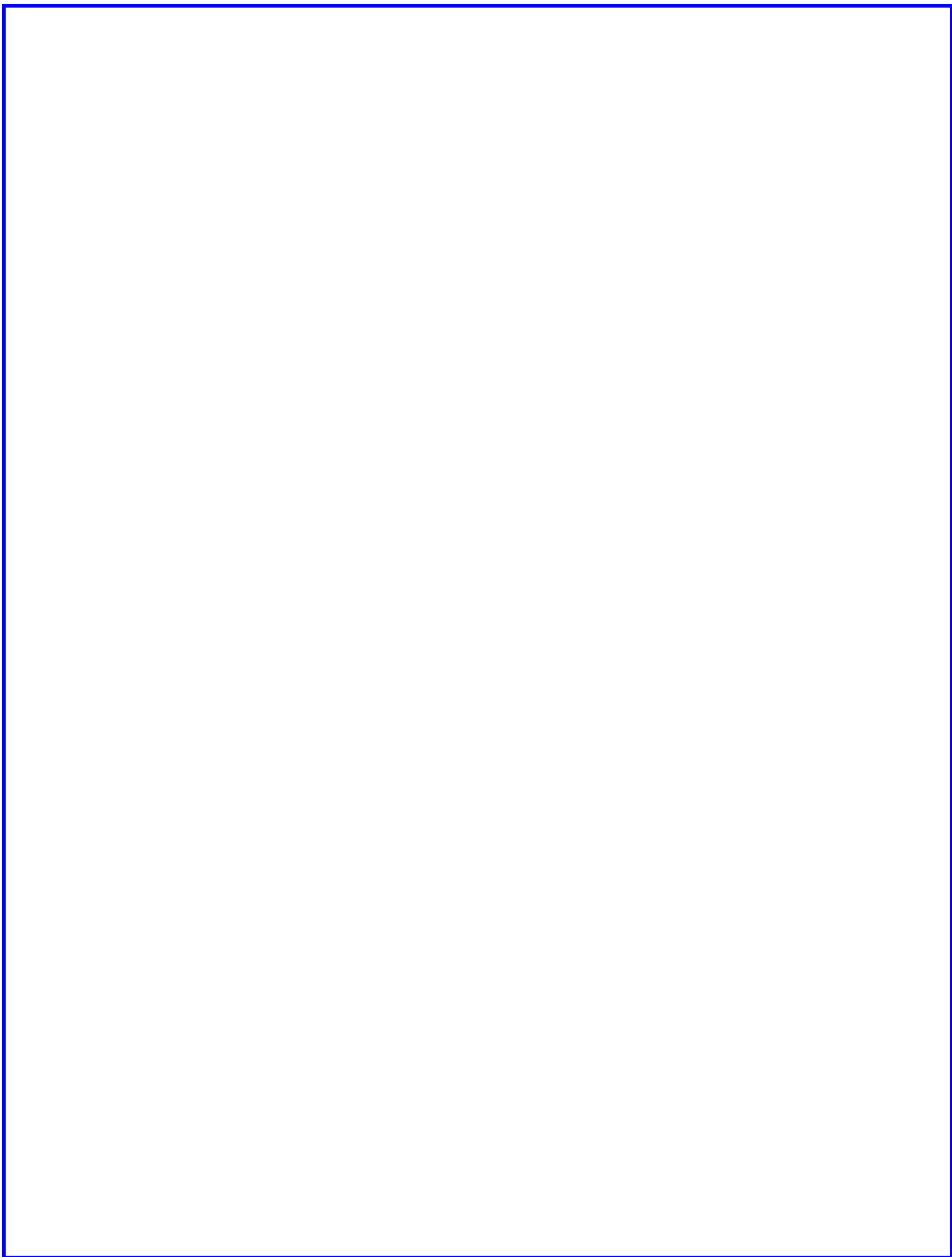
- A. Visit the EEOC website at [www.eeoc.gov](http://www.eeoc.gov) for the latest information on the Commission, relevant laws, recent news and lawsuits, and more.
- B. Contact an editor or faculty advisor for your school newspaper and pitch an article idea about student workers and employment rights.
- C. Encourage your school to invite an EEOC representative to discuss students' rights and responsibilities on the job.
- D. All of the above.**

**D is correct. All three of these ideas are great ways to learn more about your employment rights and responsibilities. The EEOC is eager to help you and your friends eliminate workplace discrimination. Visit <http://www.eeoc.gov/eeoc/outreach/coordinators.cfm> to find contact information for the EEOC employee in your area who can help arrange a school visit.**

# Optional Exercise Internet Challenge



U.S. Equal Employment Opportunity Commission  
[www.eeoc.gov](http://www.eeoc.gov)  
1-800-669-4000





## EXERCISE Internet Challenge Teacher Guide



**Objective:** To ensure that young adults understand their rights and responsibilities in the workplace.

**Time Allotment:** 1 class period

**Age range:** 13 to 16

### **PART 1 – YOUTH@WORK WEBSITE QUESTIONS**

**DIRECTIONS:** Go to the EEOC Youth@Work website at <http://www.youth.eeoc.gov/>. Fill in the blanks below:

1. To “discriminate” against someone means to: treat that person differently or less favorably.
2. What does EEOC stand for? Equal Employment Opportunity Commission.
3. What is the EEOC? EEOC is the federal agency that enforces the federal laws against job discrimination and harassment.
4. The following types of discrimination are prohibited by federal law: race, color, religion, sex (including pregnancy), national origin, age (age 40 and older), disability and genetic information.

5. You have a right to request reasonable accommodations or changes to your workplace because of your religious beliefs (or religion) or a disability.
6. You have a right to keep any medical information you share with your employer private. Your employer should not discuss this information with others, unless they need to know this information. The laws enforced by the EEOC also strictly limit what an employer can ask you about your health/medical history.
7. You have a right to complain about (or report) treatment that you believe is illegal job discrimination. It is illegal for your employer to punish you, treat you differently, or harass you if you report job discrimination or help someone else report job discrimination, even if it turns out the conduct was not illegal. The EEOC calls this your right to be protected from retaliation.
8. To learn more about your rights and responsibilities at work, you should (provide at least 1 answer): review EEOC's list of resources for young workers, review your company handbook or company policies (if available), review EEOC's website or the Youth@Work website, contact your employer's human resources department, or contact the EEOC.
9. How much does the EEOC charge for its services? EEOC does not charge for its services. EEOC's services are free.
10. It is important for you to know about EEOC because (provide at least 1 answer): EEOC can help answer questions about discrimination on the job and employee rights, EEOC can help solve workplace problems, EEOC can help file a job discrimination complaint, EEOC can investigate and

resolve claims of job discrimination, and EEOC can help make the workplace better for everyone.

## **PART 2 – THE CIVIL RIGHTS LAWS ENFORCED BY EEOC**

**DIRECTIONS:** Using information from [www.eeoc.gov](http://www.eeoc.gov), write a brief description of each of the following discrimination laws:

### **1) The Equal Pay Act of 1963**

The Equal Pay Act is the federal law that makes it illegal to pay different wages to men and women if they perform substantially equal work in the same workplace. The law also protects you from retaliation if you complain about discrimination or participate in an EEOC investigation or lawsuit.

### **2) Title VII of the Civil Rights Act of 1964 (Title VII)**

Title VII of the Civil Rights Act is the federal law that prohibits employment discrimination and harassment on the basis of race, color, religion, sex, or national origin. It was amended by the Pregnancy Discrimination Act to include discrimination based on pregnancy, childbirth, or medical conditions related to pregnancy or childbirth as sex discrimination. It also requires employers to make reasonable accommodations to employees or applicants who request them in order to practice their religious beliefs, so long as the accommodations do not impose an undue hardship on the employer. The law also prohibits retaliation.

### **3) The Age Discrimination in Employment Act of 1967 (ADEA)**

The ADEA is the federal law that prohibits discrimination and harassment in employment against a person who is age 40 or older because of age. The law also prohibits retaliation.

### **4) The Rehabilitation Act of 1973**

The Rehabilitation Act is the federal law that makes it illegal to discriminate against a federal employee with a disability. The law also prohibits retaliation.

## **5) The Americans with Disabilities Act of 1990 (ADA)**

The ADA is the federal law that prohibits discrimination and harassment in employment against persons with disabilities and requires employers to provide “reasonable accommodations” to persons with disabilities that enable them to perform their jobs, so long as the accommodations do not impose an “undue hardship” on the employer. The ADA also prohibits retaliation. The ADA only applies to private companies and state and local governments, not to the federal government.

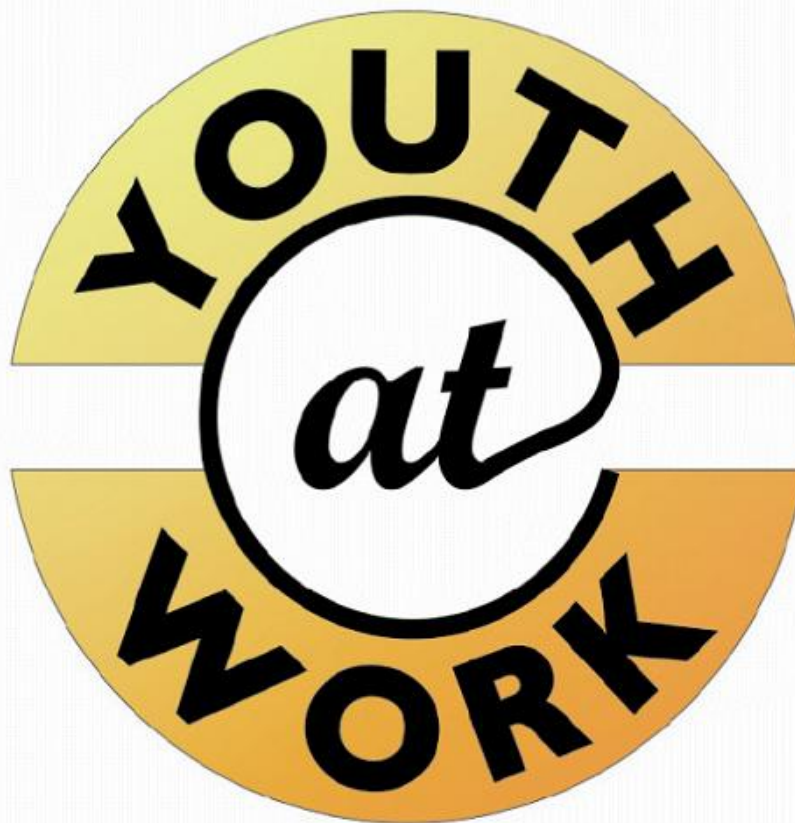
## **6) The Genetic Information Nondiscrimination Act (GINA)**

GINA is the federal law that prohibits discrimination based on genetic information. GINA protects individuals who do not currently have an illness, disease or disorder, but who have the genetic predisposition to the disease or disorder.

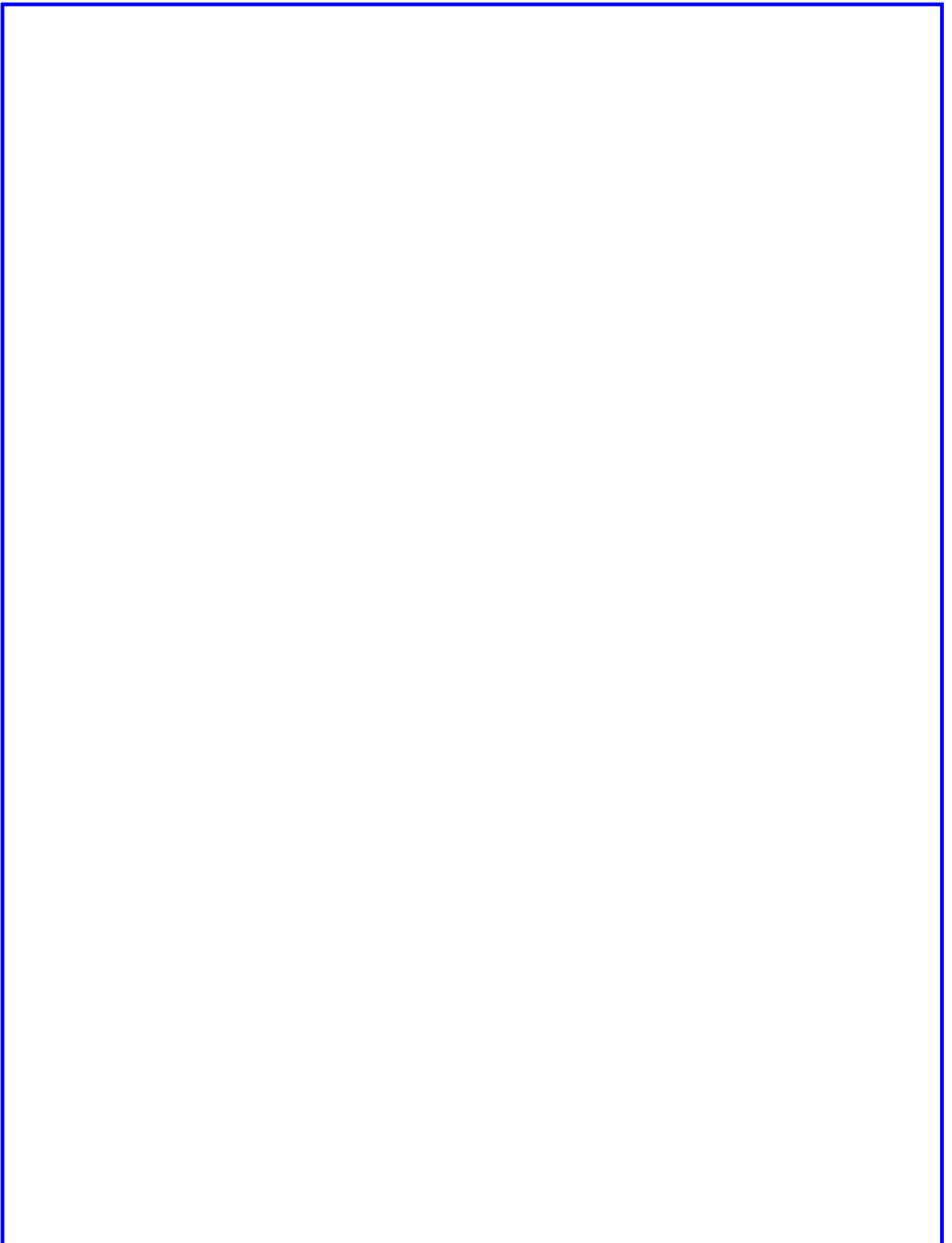




# Employment Discrimination Vocabulary



U.S. Equal Employment Opportunity Commission  
[www.eeoc.gov](http://www.eeoc.gov)  
1-800-669-4000





## Youth@Work Employment Discrimination Vocabulary



The following chart provides an overview of commonly used equal employment opportunity terms and phrases. Additional information about these topics is available on the EEOC's website at [www.eeoc.gov](http://www.eeoc.gov) or the Youth@Work website at [www.youth.eeoc.gov](http://www.youth.eeoc.gov).

Age Discrimination

Treating a person who is forty or older differently, or less favorably, because of older age.

Age Discrimination in Employment Act (ADEA)

The federal law that prohibits discrimination and harassment in employment against a person who is age 40 or older because of older age. The law also prohibits retaliation. (See definitions of "discrimination," "harassment," and "retaliation," below).

Americans with Disabilities Act (ADA)

The federal law that prohibits discrimination and harassment in employment against persons with disabilities, and requires employers to provide "reasonable accommodations" to persons with disabilities, so long as the accommodation imposes no "undue hardship" on the employer. The ADA also prohibits retaliation.

The ADA only applies to private companies and state and local governments, not to the federal government. A separate law, the Rehabilitation Act, governs the federal government's treatment of persons with disabilities.

Charge of Discrimination

A "charge" is a formal, written, signed statement filed with EEOC by an individual who alleges a discriminatory employment action based on race, skin color, religion, sex [including pregnancy], national origin, age [age 40 and older], disability and/or genetic information.

Color Discrimination

Treating a person differently, or less favorably, based on his or her skin pigmentation (lightness or darkness of the skin), complexion, shade, or tone. Color discrimination can occur between persons of different races or ethnicities or between persons of the same race or ethnicity.

Disability

A physical or mental impairment that substantially limits one or more major life activity, such as hearing, seeing, speaking, walking, etc. An impairment that substantially limits a major bodily function, such as the immune system, respiratory, circulatory, endocrine, cardiovascular, etc. is also considered a disability.

Disability Discrimination

Treating a person differently because the person, or a friend, parent, or someone else the person associates with, has a disability, has a history of once having a disability, or is considered to have a disability.

Discrimination

Treating a person differently or less favorably because of a protected basis. The protected bases under EEOC-enforced federal laws are race, color, religion, sex (including pregnancy), national origin, age (age 40 or older), disability and genetic information.

EEOC

The U.S. Equal Employment Opportunity Commission is the federal agency that enforces the laws against job discrimination and harassment.

Equal Pay Act (EPA)

The federal law that makes it illegal to pay different wages to women and men if they perform substantially equal work in the same workplace. The law also prohibits retaliation.

Genetic Information Nondiscrimination Act (GINA)

The federal law that prohibits discrimination based on genetic information. GINA protects individuals who do not currently have an illness, disease or disorder, but who have the genetic predisposition to the disease or disorder. The law also prohibits retaliation.

Genetic Information

Information about an individual's genetic tests, the genetic tests of family members, or family medical history.

Harassment

Unwelcome conduct because of an employee's protected basis (such as race, sex, national origin, etc.). Workplace harassment is illegal if employment opportunities, such as promotions or continued employment, depend on the employee going along with the harassment, or the conduct creates a hostile work environment.

National Origin Discrimination

Treating a person differently, or less favorably, because the person, or the person's friend, parent, or someone else the person associates with, comes from a particular place, has a particular accent, or appears to have a particular ethnic background.

Pervasive

Occurs frequently.

Protected Basis

The protected bases under federal law are race, color, religion, sex (including pregnancy), national origin, age (age 40 or older), disability and genetic information.

Race Discrimination

Treating a person differently, or less favorably, because the person, or the person's friend, parent, or someone else the person associates with, belongs to a particular racial group.

Reasonable Accommodation (Disability)

An employer must reasonably accommodate a known disability of a qualified applicant or employee unless doing so would impose an undue hardship on the employer. A reasonable accommodation based on disability is an adjustment to the work environment or application process that permits a qualified individual with a disability to perform the essential functions of the job or to participate in the application process.

Religious Accommodation

An employer must reasonably accommodate an applicant or employee's sincerely held religious practices unless doing so would impose an undue hardship on the employer. A reasonable religious accommodation is an adjustment to the work schedule, environment, or application process (such as a schedule change for an employment test that conflicts with a religious holiday) that allows an employee to practice his or her religion.

The Rehabilitation Act of 1973 (Rehab Act)

The federal law that makes it illegal to discriminate against a person with a disability in the federal government.

Religious Discrimination

Treating a person differently, or less favorably, because the person, or the person's friend, parent, or someone else the person associates with, holds a particular religious belief (or non-belief).  
Denying an individual a requested religious accommodation in the workplace when there is no undue hardship.

Retaliation

Punishing an employee, treating an employee differently, or harassing an employee because the employee complains about job discrimination or participates in a job discrimination investigation or complaint.

Severe

Very serious.

Sex Discrimination

Treating a person differently, or less favorably, because of the person's sex. Both women and men are protected from discrimination based on sex.

Sexual Harassment

Unwelcome conduct of a sexual nature in the workplace that directly or indirectly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Stereotype

A belief or assumption that people within a group have the same characteristics.

Title VII of the Civil Rights Act of 1964 (Title VII)

The federal law that prohibits employment discrimination and harassment on the basis of race, color, religion, sex, or national origin. The law also prohibits retaliation.

Youth@Work Initiative

An EEOC program designed to teach teens about their rights and responsibilities at work and to help employers create positive work experiences for young adults. Visit [www.youth.eeoc.gov](http://www.youth.eeoc.gov) for more information.

Zero tolerance policies

Employer policies that prohibit inappropriate conduct, regardless of whether the conduct rises to the level of illegal discrimination or harassment.