

# Equal employment opportunity history and laws

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Many of us have heard of or have been made aware of the phrase Equal Employment Opportunity (EEO). But how many of us genuinely comprehend the criterion of EEO and why it subsists? Equal Employment Opportunity laws are designed to give all workers fair consideration on the basis of job performance rather than any irrelevant personal factors.

These laws are in place in order to prevent bias, prejudice, bigotry, and inequity against anyone due to physical abilities, race, religion, gender, or age. EEO strives to assure that all applicants, male and female alike and all ethnic groups have a fair chance in the hiring process, in competing for advancement, and each employee must have the same access to development probabilities. Equal Employment Opportunity is based on equality and it is encompassed by a series of statutes intended to proscribe workplace discrimination.

History In the 1960s, Americans anticipated on the President, Congress, and the courts would implement the pledge of the 14th Amendment. In June 1964, the U. S. Senate passed the Civil Rights Act. Nearly a month later the U. S. House of Representatives passed the bill and President Lyndon B. Johnson signed the bill into law. Equal Employment Opportunity was established by Title VII of the Civil Rights Act of 1964, but its purpose has been fashioned by more than a solitary part of legislation (Youth at Work, 2011).

The requirements of this civil rights act would allow the government to make a set of laws to help end discrimination on the basis of gender as well as nationality in employment, advancement, and dismissals. These laws became a self-governing body making it a key component in dealing with unfairness issues. Since its creation, Congress has progressively made other authorities available such as: investigatory mandates, setting up programs to bring disputing sides together, filing lawsuits, and managing charitable support programs (National Archives, 2011).

Major EEO Laws Title VII and Pregnancy Discrimination Act Title VII makes it prohibits discrimination against anyone on the grounds of race, color, religion, national origin, or sex. The Pregnancy Discrimination Act is an amendment to Title VII. This law makes it illegal to single out women because of pregnancy, childbirth, or for any medical condition that may be related to pregnancy or childbirth. It is intended to protect female employees or prospective employees from being dismissed from a job or being passed over for promotion due to motherhood.

In addition, Title VII also makes it necessary that employers reasonably allow for the religious practices of their employees, unless doing so would conflict with the needs of the business or cause adversity in the workplace (Laws Enforced by EEOC, 2011). Equal Pay Act of 1963 (EPA) The Equal Pay Act forbids gender discrimination in the form of wages paid to men and women doing the same type of work, in occupations that call for the same aptitude and accountability, with comparable working conditions, in the same organization (EEO is The Law, 2011).

The Age Discrimination in Employment Act of 1967 (ADEA) “ The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment” (EEO is The Law, 2011). Title I of the Americans with Disabilities Act of 1990 (ADA) Title I ADA forbids employers from discriminating against an experienced applicant with a disability in the private components of society and in civic and local governments.

It also calls for employers to accommodate the bodily or psychological boundaries of a competent person with a disability who is an candidate for employment or a current staff member, unless providing modifications to the workplace would cause difficulty in the function of the company (Laws Enforced by EEOC, 2011). Sections 102 and 103 of the Civil Rights Act of 1991 “ The Act authorizes compensatory and punitive damages in cases of intentional discrimination, and provides for obtaining attorneys’ fees and the possibility of jury trials.

It also directs the EEOC to expand its technical assistance and outreach activities (Federal EEO Laws, 2011). Sections 501 and 505 of the Rehabilitation Act of 1973 This act is much like the ADA, the only difference is that the Rehabilitation Act is that it focuses on the federal government. “ The Rehabilitation Act of 1973 was the first “ rights” legislation to prohibit discrimination against people with disabilities.

However, this law applied to programs conducted by Federal agencies, those receiving federal funds, such as colleges participating in federal student loan <https://assignbuster.com/equal-employment-opportunity-history-and-laws/>

programs, Federal employment, and employment practices of businesses with federal contracts” (The Rehabilitation Act of 1973, 2011). Section 501 demands affirmative action and bans discrimination in employment by Federal agencies. Section 505 includes steps managing solutions and attorney's expenditures under Section 501 (The Rehabilitation Act of 1973, 2011). The Genetic Information Nondiscrimination Act of 2008 (GINA)

GINA makes it against the law to discriminate against employees or applicants because of genetic information. Genetic information includes: information about an individual’s genetic tests, genetic tests of an individual’s family, information related to any disease, disorder, or condition of an individual or their family members (Laws Enforced by EEOC, 2011). The Influence of EEO “ Of all the influences, the direction and limitations imposed by Congress and by the Administration in power explain the major changes in EEOC's enforcement operations over time.

Thus, conciliation, education, outreach and technical assistance were the primary methods employed by EEOC at its inception because that was what the law permitted” (35 Years of Ensuring the Promise of Opportunity, 2001). The focus today is more on accomplishing an incorporated tactic that connects events in a diplomatic way in order to allocate the latest groundbreaking programs like ways to settle conflicts, such as arbitration. Arbitration is quickly becoming a successful resource in resolving debates. Equal Employment Opportunity also stresses an individual victim approach.

This area of EEO is designed to improve personal damages involving one or more people. There is also a need to tackle specific issues within the functioning of the agency (35 Years of Ensuring the Promise of Opportunity, <https://assignbuster.com/equal-employment-opportunity-history-and-laws/>

2001). Impact of Title VII Title VII brought about the whole idea of affirmative action. Affirmative action deals with the guidelines that delve into race, color, religion, gender, or national origin. Each group is taken into consideration in order to benefit them, typically as a means to counteract the consequences of a history of discrimination.

The impact of affirmative action is it has made certain that minorities are included in all programs, it aids in paying compensation for past acts of inequity, maltreatment or abuse, and it handles current claims of unfairness. This basically means that more jobs should be available to all races. Impact of the Equal Pay Act of 1963 (EPA) This act was established to assist women in receiving the same pay as a man doing the same job. Women may be earning more and have gained more lucrative positions, but even today women still earn less than men. “ In 2007, women's median annual paychecks reflected only 78 cents for every \$1. 0 earned by men. Specifically for women of color, the gap is even wider: In comparison to men's dollar, African American women earn only 69 cents and Latinas just 59 cents” (National Organization for Women, 2011). There has been no real impact from this act unless earning better positions with less pay is an impact. Impact of GINA GINA prohibits employers from gathering, disclosing or otherwise using a person’s medical or genetic history to dismiss or discriminate against them. The reason the law was ratified was to dispel panic about the misuse of personal medical information. Conclusion

Please keep in mind, with these laws in place it is illegal to retaliate against an employee or candidate for employment for filing a claim. If you or someone you know has been discriminated against please contact your

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nearest EEO office or call 1 800 669 4000. In conclusion, Equal Employment Opportunity's strongest point has always been its ability to rise to any occasion. As time continues to pass EEO should continue to exemplify its core values of equality for all, efficacy and competence, making certain that it always stands as the nation's foremost civil rights enforcement agency.

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