

# Types of discrimination by eeoc law employment essay

[Law](#)



INTERNATIONAL BUSINESS & COMMUNICATION PROGRAMME BACHELOR

STUDIES III year student Rasa Bartulytė 2013-04-21

## **Employment discrimination according to U. S. Equal Employment Opportunity Commission (EEOC)**

Supervisor: Lect. Mitja Kovač VILNIUS, 2013 Table of Contents

### **Discrimination**

We could divide discrimination in two main types: Direct discrimination, which occurs where an employer or prospective employer treats a person less favourably than another on the stated grounds, as where an employer refuses, on discriminatory grounds, to grant a suitably qualified person an interview for a job. In addition, the segregation of workers once in employment on discriminatory grounds is also unlawful direct discrimination (Keenan & Riches, Business Law, 2007) Indirect discrimination, as where an employer has applied requirements or conditions to a job but the ability of some persons to comply because of sex, disability, marital status or race is considerably smaller and cannot be justified. (Keenan & Riches, Business Law, 2007)

### **Employment discrimination**

Employment discrimination also can be called work place discrimination or labour force discrimination. Employment discrimination can occur in various forms and settings. It includes treating people differently because of race, colour or sex, which could be resulted in the inequality of opportunities and treatment in a work place.

## **Figure 1. Total number of charges of employment discrimination**

Source: U. S. Equal Employment Opportunity Commission According to U. S. Equal Employment Opportunity Commission (EEOC) statistics over the past decade overall number of discrimination charges increased.

### **U. S. Equal Employment Opportunity Commission (EEOC)**

The U. S. Equal Employment Opportunity Commission (EEOC) was established in 1972, which headquarters are located in Washington, DC." EEOC is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, colour, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit."(U. S. Equal Employment Opportunity Commission)

### **Types of discrimination by EEOC**

#### **Age**

Age discrimination includes treatment of an applicant or employee less favourably because of his/her age. There is the Age Discrimination in Employment Act (ADEA) which forbids only age discrimination against people which are 40 age years or older, though some U. S. states have laws that are protecting young workers from discrimination. In workplaces it is illegal to favour younger workers over the older ones even if both employees are at

age 40 or older. And discrimination occurs when both victims are over age of 40. For example, you cannot give offensive remarks about people age.

## **Figure 1. Number of age discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Disability**

Disability discrimination occurs when an involved entity covered by the Americans with Disabilities Act, or the Rehabilitation Act, treats a qualified individual unfavourably, because individual has a disability. Disability discrimination could also occur when employer or other entities are treated unfavourably because he or she has a history of a disability (such as cancer) or because individual is believed to have a physical or mental disability. There are laws that require an employer to provide appropriate accommodation to an employee or job applicant which has a disability. The law also protects people from discrimination based on their relationship with a person with a disability. For example, it is illegal to discriminate against an employee because her husband has a disability.

## **Figure 2. Number of disability discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Equal Pay/Compensation**

The Equal Pay Act states that men and women in the same work environment must be given equal pay for equal workload. The jobs may not be identical, but they must be basically equal. Job content determines if jobs are basically equal. Equal Pay Act covers all form of pay: salary, overtime

pay, bonuses, stock options, profit sharing and bonus plans, life insurance, vacation and holiday pay, cleaning or gasoline allowances, hotel accommodations, reimbursement for travel expenses, and benefits.

### **Figure 3. Number of equal pay discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Genetic Information**

Genetic Information Non-discrimination Act (GINA) states that it is illegal to discriminate against individuals because of their genetic information. GINA prohibits the use of genetic information in making employment decisions, restricts employers from requesting, requiring or purchasing genetic information, and strictly limits the revealing or sharing of genetic information.

### **Definition:**

" 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 the manifestation of a disease or disorder in an individual's family members. Family medical history is included in the definition of genetic information because it is often used to determine whether someone has an increased risk of getting a disease, disorder, or condition in the future." U. S. Equal Employment Opportunity Commission (EEOC)

### **Figure 4. Number of genetic information discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

<https://assignbuster.com/types-of-discrimination-by-eeoc-law-employment-essay/>

## **National Origin**

National origin discrimination involves treating people unfavourably because they are from a given part of the world or country, because of ethnicity or accent, or because they seem to be of a given ethnic background. It can involve treating people wrongly because they are associated to a person of a given national origin or because of their relationship with an ethnic organization or group. Discrimination can occur only when the victim with the person who inflicted in the discrimination are the same national origin.

## **Figure 5. Number of national origin discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

## **Pregnancy**

Pregnancy discrimination includes from treating a woman wrongly because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. No statistical data for pregnancy discrimination charges.

## **Race/Colour**

Race discrimination includes treating someone wrongly because he or she is of a particular race or because of personal characteristics, such as hair texture, skin colour, or certain facial features. Colour discrimination involves treating someone unfavourably because of skin colour complexion.

Race/colour discrimination also can involve treating someone unfavourably because the person is associated with a person of a certain race or colour or because of a person's relationship with a race-based organization or group.

Discrimination can occur when the victim and the person who inflicted the discrimination are the same race or colour.

<https://assignbuster.com/types-of-discrimination-by-eeoc-law-employment-essay/>

## **Figure 6. Number of race discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Religion**

Religious discrimination includes treating an individual unfairly because of his or her religious beliefs. The law protects not only people who belong to traditional religions (Buddhism, Christianity, Hinduism, Islam, and Judaism), but also those who have sincerely held religious, ethical or moral beliefs. Religious discrimination can also occur when treating someone differently because that person is married to an individual of a particular religion or because of his or her relationship with a religious organization or group.

## **Figure 7. Number of religion discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Retaliation**

All of the laws EEOC enforce make it illegal to fire, demote, harass, or otherwise "retaliate" against people, because they filed a charge of discrimination, or if they complained to their employer or other entity about discrimination on the job, or they participated in an employment discrimination procedure.

## **Figure 8. Number of retaliation discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Sex**

Sex discrimination includes treating someone unfavourably because of individual's sex. It could also involve treating someone less favourably

<https://assignbuster.com/types-of-discrimination-by-eeoc-law-employment-essay/>

because of his or her connection with an organization or group that is associated with people of a certain sex. What is more, lesbian, gay, and bisexual individuals may bring sex discrimination claims also.

### **Figure 9. Number of religion discrimination charges**

Source: U. S. Equal Employment Opportunity Commission

### **Sexual Harassment**

Harassment includes "sexual harassment" or unwelcome sexual advances, requests for sexual favours, and other verbal or physical harassment of a sexual nature. It is illegal to harass a woman by making offensive remarks about women in general. Although the law doesn't prohibit simple teasing or offhand comments. Harassment is illegal when it is so frequent or severe that it creates offensive work environment. No statistical data for sexual harassment charges.