



U.S. Equal Employment Opportunity Commission

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Overview

The U.S. Equal Employment Opportunity Commission (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, color, religion, sex (including pregnancy, gender identity, and sexual orientation), 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.

Most employers with at least 15 employees are covered by EEOC laws (20 employees in age discrimination cases). Most labor unions and employment agencies are also covered.

The laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits.

Authority & Role

The EEOC has the authority to investigate charges of discrimination against employers who are covered by the law. Our role in an investigation is to fairly and accurately assess the allegations in the charge and then make a finding. If we find that discrimination has occurred, we will try to settle the charge. If we aren't successful, we have the authority to file a lawsuit to protect the rights of individuals and the interests of the public and litigates a small percentage of these cases. When deciding to file a lawsuit, the EEOC considers several factors such as the strength of the evidence, the issues in the case, and the wider impact the lawsuit could have on the EEOC's efforts to combat workplace discrimination.

We also work to prevent discrimination before it occurs through outreach, education and technical assistance programs.

The EEOC provides leadership and guidance to federal agencies on all aspects of the federal government's equal employment opportunity program. EEOC assures federal agency and department compliance with EEOC regulations, provides technical assistance to federal agencies concerning EEO complaint adjudication, monitors and evaluates federal agencies' affirmative employment programs, develops and distributes federal sector educational materials and conducts training for stakeholders, provides guidance and assistance to our Administrative Judges who conduct hearings on EEO complaints, and adjudicates appeals from administrative decisions made by federal agencies on EEO complaints.

Location

We carry out our work through our headquarters offices in Washington, D.C. and through 53 field offices serving every part of the nation.

The EEOC's Vision is:

Respectful and inclusive workplaces with equal employment opportunity for all.

The EEOC's Mission is to:

Prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace.

Read more about:

- [The laws enforced by EEOC](#)
- [EEOC's charge handling process](#)
- [EEOC's outreach and educational programs](#)
- [EEOC's federal sector program](#)
- [How to contact us](#)

Laws, Regulations, Guidance & MOUs
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Laws Enforced by EEOC

[Title VII of the Civil Rights Act of 1964 \(Title VII\)](#)

This law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business.

- [The Pregnancy Discrimination Act](#)

This law amended Title VII to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

[The Equal Pay Act of 1963 \(EPA\)](#)

This law makes it illegal to pay different wages to men and women if they perform equal work in the same workplace. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

[The Age Discrimination in Employment Act of 1967 \(ADEA\)](#)

This law protects people who are 40 or older from discrimination because of age. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

[Title I of the Americans with Disabilities Act of 1990 \(ADA\)](#)

This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.

[Sections 102 and 103 of the Civil Rights Act of 1991](#)

Among other things, this law amends Title VII and the ADA to permit jury trials and compensatory and punitive damage awards in intentional discrimination cases.

[Sections 501 and 505 of the Rehabilitation Act of 1973](#)

This law makes it illegal to discriminate against a qualified person with a disability in the federal government. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.

[The Genetic Information Nondiscrimination Act of 2008 \(GINA\)](#)

Effective - November 21, 2009.

This law makes it illegal to discriminate against employees or applicants because of genetic information. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder or condition of an individual's family members (i.e. an individual's family medical history). The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Coverage

An employer must have a certain number of employees to be covered by the laws we enforce. This number varies depending on the type of employer (for example, whether the employer is a private company, a state or local government agency, a federal agency, an employment agency, or a labor union) and the kind of discrimination alleged (for example, discrimination based on a person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information).

Read about the coverage requirements for:

- [Business/private employers](#)
- [State or local governments](#)
- [Federal government agencies](#)
- [Employment agencies](#)
- [Labor unions or Joint Apprenticeship Committees](#)

See also:

- [How do you count the number of employees an employer has?](#)

If an employer has the required number of employees, you are protected by the anti-discrimination laws if you are:

- An employee
- A job applicant
- A former employee
- An applicant or participant in a training or apprenticeship program

Age or Disability & Coverage

If your complaint involves discrimination because of your age or disability, you must meet other requirements in order to be covered.

Citizenship & Coverage

The Immigration Reform and Control Act of 1986 (IRCA) prohibits discrimination on the basis of national origin by smaller employers (with 4 to 14 employees). Employers with 4 or more employees (and recruiters and referrers for a fee) are also prohibited from discriminating on the basis of citizenship status; discriminating in the employment eligibility verification process; and retaliating under IRCA.

Discrimination charges under IRCA are processed by the Department of Justice, Office of Special Counsel for Immigration-Related Unfair Employment Practices:

1-800-255-7688 (voice for employees/applicants),
1-800-237-2515 (TTY for employees/applicants),
1-800-255-8155 (voice for employers), or
1-800-362-2735 (TTY for employers), or
<http://www.usdoj.gov/crt/osc>.

Overseas & Coverage

American workers employed by U.S. companies overseas enjoy the same broad protections as workers in the U.S. That means protection under the anti-discrimination laws travels with the employee, so long as the employee is a U.S. citizen working for a U.S. company.

Deciding Who Is Covered

People who are not employed by the employer, such as independent contractors, are not covered by the anti-discrimination laws. Figuring out whether or not a person is an employee of an organization (as opposed to a contractor, for example) is complicated. If you aren't sure whether you are covered, you should contact one of our field offices as soon as possible so we can make that decision.



District of Columbia Office of Human Rights



prevent discrimination • investigate complaints • secure language access • address bullying

What we do.

The DC Office of Human Rights is a DC government agency that **mediates and investigates** complaints of discrimination, and works to **prevent discrimination** from occurring. If you believe you were discriminated against in DC, you can **file a complaint** with our office at **no cost**, and we will investigate to determine whether enough evidence exists to show discrimination occurred. If discrimination is found, monetary or other damages may be awarded.

Our office also enforces the Fair Criminal Record Screening Amendment Act, Fair Criminal Record Screening for Housing Act, Protecting Pregnant Workers Act as well as oversees implementation of the **Language Access Program, Citywide Youth Bullying Prevention Program and Street Harassment Prevention**.

How we serve the District

- Investigate complaints
- Mediate complaints
- Prevent discrimination
- Secure language access
- Address bullying
- Raise awareness

Who we protect.

Whether a resident, a commuter or just a visitor to DC, the DC Human Rights Act **protects you from discrimination** based on 20 traits (exceptions apply):

1. Race
2. Color
3. Religion
4. National Origin
5. Sex
6. Age
7. Marital Status
8. Personal Appearance
9. Sexual Orientation
10. Gender Identity & Expression
11. Family Responsibilities
12. Political Affiliation
13. Disability
14. Matriculation
15. Familial Status
16. Genetic Information
17. Source of Income
18. Place of Residence or Business
19. Status as a Victim of an Intrafamily Offense
20. Credit Information

What discrimination looks like.

Discrimination can be obvious. Other times it is more difficult to identify. Here are some scenarios that may be discrimination, depending on the details:



You are denied a job, refused a promotion, treated differently, or fired because of your protected trait.



You are denied service or treated in a hostile way at a restaurant or business because of your protected trait.



Your housing application changes or is denied, or you're treated differently than other tenants because of your protected trait.



Your college or university holds you to different academic or other standards because of your protected trait.

What you can do.

If you believe you were discriminated against because of a protected trait, **file a complaint** with our office by completing the complaint questionnaire **online** at ohr.dc.gov/page/complaint, or **in-person** at 441 4th Street NW, Suite 570N.

What to expect.

1. **Questionnaire:** submit questionnaire to start the process
2. **Intake Appointment:** we contact you and setup a time to discuss the incident further
3. **Mediation:** mandatory session is held in an attempt to find a resolution
4. **Investigation:** if mediation fails, a full investigation of the incident begins
5. **Decision:** if probable cause of discrimination is found, case sent to Commission on Human Rights

NOTICE OF NON-DISCRIMINATION

In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code §§2-1401.01 et seq. (Act), the District of Columbia does not discriminate on the basis of (actual or perceived) race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.



When we can help.

Our office can take a discrimination complaint if it **meets the four criteria** below:

Criteria I - The incident occurred in one of the following four areas:



Criteria II - The incident occurred in the last year. If you are a DC government employee filing against your employer, it must have occurred in last six months.

Criteria III - The incident occurred in DC. However, we cannot accept complaints against the US government.

Criteria IV - You were treated differently in a harmful way because of one of the protected traits.

Services in your language.

Our **Language Access Program** works to ensure people who speak limited or no English can access government services in their language by enforcing the Language Access Act of 2004.

If you speak little or no English and need services or information from a DC agency, you must be offered an **interpreter** and/or **translated documents**. If you are denied assistance in your language, you can **file a complaint online** at ohr.dc.gov/page/languageaccess or **in-person** at 441 4th Street NW, Suite 570N.

Then What Happens?

We interview you for more details, and work to ensure you receive the services you were seeking. We mandate remedies in cases where violation of the law occurs.

Our efforts to address bullying.

Our **Citywide Youth Bullying Prevention Program** assists youth-serving government agencies, grantees and schools with implementing effective bullying prevention policies in compliance with law.

Definition

Bullying is unwanted, aggressive behavior among youth that involves a real or perceived power imbalance, and is repeated or has the potential to be repeated.

Our **approach** discourages an overreliance on discipline and instead adopts a **public health approach** focused on prevention, supporting at-risk youth and addressing incidents to change behavior.

How You Can Help

Youth-serving agencies, schools and organizations receiving government grants must have a policy. Ask for it, and see how you can support its objectives.

We are here for you.

If you have **questions** about the work of our office, how to file a complaint, or you want to request a training or presentation, you can:

Visit our Website

ohr.dc.gov

Call us

(202) 727-4559

To view and share our latest **awareness campaigns**, visit ohr.dc.gov/page/campaigns.

To receive the latest **updates on our work**, you can follow us on:



Facebook
facebook.com/dcohr



Twitter
twitter.com/dchumanrights



Instagram
instagram.com/dchumanrights

The DC Office of Human Rights enforces the DC Human Rights Act, which makes discrimination illegal based on 20 protected traits for people that live, visit or work in the District of Columbia. The DC Human Rights Act prohibits discrimination in *housing, employment, public accommodations and educational institutions*.

Protected Traits for Housing, Employment, Public Accommodations and Educational Institutions include:

1. **Race:** classification or association based on a person's ancestry or ethnicity
2. **Color:** skin pigmentation or complexion
3. **Religion:** a belief system which may or may not include spirituality
4. **National origin:** the country or area where one's ancestor's are from
5. **Sex:** a person's gender; includes sexual harassment and a woman's right to breastfeed
6. **Age:** 18 years or older
7. **Marital status:** married (same-sex or opposite-sex), single, in a domestic partnership, divorced, separated, and widowed
8. **Personal appearance:** outward appearance, but is subject to business requirements or standards
9. **Sexual orientation:** homosexuality, heterosexuality, and bisexuality
10. **Gender identity or expression:** your gender-related identity, behavior, appearance, expression or behavior which is different from what you are assigned at birth
11. **Family responsibilities:** supporting a person in a dependent relationship, which includes, but is not limited to, your children, grandchildren and parents.
12. **Political affiliation:** belonging to or supporting a political party
13. **Disability:** a physical or mental impairment substantially limiting one or more major life activities (includes HIV/AIDS)

Additional Traits Applicable to Some Areas include:

14. **Matriculation** (applies to housing, employment and public accommodations): being enrolled in a college, university or some type of secondary school.
15. **Familial Status** (applies to housing, public accommodations and educational institutions): a parent or guardian with children under 18
16. **Source of Income** (applies to housing, public accommodations and educational institutions): origination of a person's finances
17. **Genetic information** (applies to employment and public accommodations): Your DNA or family history which may provide information as to a person's predisposition or likely to come down with a disease or illness.
18. **Place of Residence or Business** (applies to housing and public accommodations): geographical location of home or work
19. **Status as a Victim of an Intrafamily Offense** (applies to housing): a person who was subjected to domestic violence, sexual assault and stalking
20. **Credit Information*** (applies to employment): any written, verbal or other communication of information bearing on an employee's creditworthiness, credit standing, credit capacity or credit history.

**Enforcement of this protected trait becomes effective October 1, 2017.*

Please note that these definitions are not exhaustive.

Updated September 11, 2017.

About the Pittsburgh Commission on Human Relations

Anyone who lives, works, or visits Pittsburgh has a legal right to opportunity and access to housing, employment, and public accommodations. The Commission on Human Relations (PghCHR) investigates instances of discrimination and seeks resolutions for anyone who has experienced harm because of discrimination. We are more than just an agency that enforces laws. We work with communities, and public and private organizations, to proactively educate people about equal rights and opportunities.

The PghCHR has the power to enforce punitive legal action, but our Commissioners recognize that constructive resolutions, such as mandating trainings and policy changes, are more likely to lead to changes in behavior and changes in practice. We are dedicated to creating positive change and promoting equality, which stands out in our efforts to proactively work with communities, businesses, and organizations to prevent and recognize discrimination.



Serving Fairness Together

An Example of a Complaint:

A real estate agent takes a young couple to see a few homes. The couple remarks that they thought they were going to see a home they saw online. The agent replies that they probably, "wouldn't feel comfortable in that neighborhood," and implies it is because it is mostly occupied by people of another race.



📍 908 City-County Building
414 Grant Street, Pittsburgh, PA 15219
☎ (412) 255-2600 📠 (412) 255-2288
💻 www.pittsburghpa.gov/chr

✉ human.relations@pittsburghpa.gov
📱 [Facebook](https://www.facebook.com/PghCHR) [Instagram](https://www.instagram.com/PghCHR) [@PghCHR](https://twitter.com/PghCHR)

English



How Can the Pittsburgh Commission on Human Relations Help You?



**Pittsburgh Commission
On Human Relations**
Serving Fairness Together

What is the PghCHR?



The Pittsburgh Commission on Human Relations (PghCHR) is charged under Article V Discrimination of the Pittsburgh City Code to investigate, adjudicate and remedy discrimination.

- **Discrimination** means an illegal difference in treatment because of your membership in a protected class.
- In the area of **employment discrimination**, this includes age (for persons over 40 years), ancestry, color, disability, gender identity or expression, national origin, place of birth, race, religion, sex, or sexual orientation.
- In the area of **housing discrimination**, age discrimination is not protected, but familial status and status as a survivor of domestic violence are protected.
- The PghCHR also protects persons from **public accommodation discrimination**, religious symbol desecration, and unlawful discriminatory practices in the delivery of City services and by City employees, including the Police.

What do the staff do in the complaint process?

- Staff are charged with completing intakes, receiving and documenting complaints, and investigating cases filed.
- Investigation includes gathering evidence, testimony, statistics and other information pertinent to the allegation and ultimately providing a recommendation for review by Commissioners.

What is the role of Commissioners in the complaint process?

- Commissioners are volunteers appointed by the Mayor and confirmed by City Council. They serve four-year staggered terms.
- Commissioners serve a vital role in reviewing, approving or disapproving determinations made by staff, and preside over public hearings of cases and concerns before the PghCHR. Commissioners also rule on motions.
- Commissioners may serve as mediators.
- Commissioners serve on committees and provide guidance for the direction of studying and receiving public input on Civil Rights issues.

Find out more at:

www.pittsburghpa.gov/chr/commissioners

Who May File a Complaint?

Any person, group(s) of persons or organization(s) claiming to be aggrieved by an alleged unlawful discriminatory practice may file. The PghCHR, on its own motion, may initiate a complaint.

What can PghCHR do?

- The PghCHR can mediate between two parties in conflict and provide a forum to find solutions.
- The PghCHR has the power to subpoena necessary information of the charges filed before it.
- The PghCHR seeks to remedy complaints by finding resolution between the parties. Where probable cause of discrimination is found, The PghCHR seeks to remedy the harm, which may include training, changes in policies, an accommodation, back pay, or other solutions that aim to make the person who filed whole, and alleviate the discrimination alleged.

Retaliation is Against the Law

If you are subjected to a difference in treatment because you filed a complaint of discrimination, that is illegal conduct and should be reported to PghCHR.

Contact Us

908 City-County Building
414 Grant Street, Pittsburgh, PA 15219

(412) 255-2600 (412) 255-2288

 www.pittsburghpa.gov/chr

 human.relations@pittsburghpa.gov

  @PghCHR

PROTECTED CLASSES



**Pittsburgh Commission
On Human Relations**

Serving Fairness Together

Discrimination is Against the Law!

Anyone who lives, works, or visits Pittsburgh has a legal right to opportunity and access to housing, employment, and public accommodations. The Commission on Human Relations (PghCHR) investigates instances of discrimination and seeks resolutions for anyone who has experienced harm because of discrimination. We are more than just an agency that enforces laws. We work with communities, and public and private organizations, to proactively educate people about equal rights and opportunities. The following sections outline the various **protected classes** that prevent you from discrimination in **employment**, **housing**, and public **accommodations**.

Housing

- Ancestry
- Color
- Disability/Handicap
- Familial Status
- Gender Identity/Expression
- National Origin
- Place of Birth
- Race
- Religion
- Sex
- Sexual Orientation
- Status as a Survivor of Domestic Violence



Employment



- Age
- Ancestry
- Color
- Disability/Handicap
- Sexual Orientation
- Gender Identity/Expression
- Pregnancy (includes partners of pregnant employees)
- National Origin
- Place of Birth
- Race
- Religion
- Sex

Public Accommodations

- Ancestry
- Color
- Disability/Handicap
- Sexual Orientation
- Gender Identity/Expression
- Place of Birth
- Race
- Religion
- Sex
- National Origin



Who We Are

The Fairfax County Office of Human Rights and Equity Programs (OHREP) is a county agency tasked with enforcing the Fairfax County Human Rights Ordinance and ensuring equal opportunity in county employment, programs and the receipt of services. OHREP strives to create and foster a culture that embraces diversity and inclusion. All of its endeavors shall be approached with the objective to exceed all expectation, thereby creating an environment where OHREP is uniformly recognized as an indispensable leader in providing training, mediation, outreach, conflict resolution, counseling and the enforcement of human rights for Fairfax County.

Mission:

"To promote justice, equal opportunity, diversity, and inclusiveness by promoting the civil rights of all in Fairfax County,"



**Fairfax County Office of
Human Rights and Equity Programs
12000 Government Center Pkwy.**

Suite 318

Fairfax, VA 22035-0093

Tel: 703-324-2953

TTY: 711

www.fairfaxcounty.gov/ohrep



A Fairfax County, Va., publication

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable ADA accommodations and alternative information formats will be provided upon request. Call 703-324-2953, TTY 711



**Fairfax County
Office of Human Rights
and Equity Programs**

Mar. 2013

Human Rights Division

The Fairfax County Office of Human Rights and Equity Programs, Human Rights Division enforces the Fairfax County Human Rights Ordinance of 1974. The office receives and investigates complaints filed by any person who believes he or she has been subjected to discrimination.

Under the Ordinance, it is illegal to discriminate against any person on the basis of his or her membership in one of the following protected classes:

- Race
 - Color
 - Sex
 - Religion
 - National Origin
 - Marital Status
 - Age
 - Familial Status*
 - Disability
 - Genetic Information
- * Applies to housing only.

The Ordinance protects against discrimination in:

- Employment
- Public Accommodations
- Credit
- Private Education
- Housing

The office also provides educational services regarding compliance with the Ordinance to citizens, employers, organizations, businesses and the housing industry operating in Fairfax County.



Equity Programs Division

The Office of Human Rights and Equity Programs, Equity Programs Division promotes Fairfax County's vision of diversity. It provides investigative and technical services.

Investigative Services provides employees, applicants and citizens with a process to present discrimination complaints.

- Discrimination is prohibited based on a person's:
- Race
 - Color
 - Religion
 - Sex
 - Creed
 - Disability
 - National Origin
 - Age
 - Retaliation
 - Political Affiliation
 - Union Affiliation
 - Marital Status
 - Veteran's Status
 - Genetic Information

Pursuant to:

- Fairfax County Personnel Regulations
- Title VII of the Civil Rights Act of 1964, as amended
- Civil Rights Act of 1991
- Americans with Disabilities Act with 2008 Amendments
- Age Discrimination in Employment Act of 1979
- Equal Pay Act (1963)
- Genetic Information Nondiscrimination Act of 2008

Technical Services provides county employees and managers with:

- Training
- Mediation
- Counseling in workplace equity
- Monitoring compliance of antidiscrimination laws and the Americans with Disabilities Act (ADA)

Filing a Complaint

To initiate a complaint of discrimination for the Human Rights Division and the Equity Programs Division, contact the Office of Human Rights and Equity Programs. Staff can assist you in the filing of a complaint in person or by telephone at 703-324-2953.



NJ Law prohibits discrimination in:					
Categories:		Employment	Housing	Public Accommodations	Credit/Contracting
Race		■	■	■	■
Creed <i>(Religion)</i>		■	■	■	■
Color		■	■	■	■
National Origin		■	■	■	■
Age		■			■
Ancestry		■	■	■	■
Nationality		■	■	■	■
Marital or Domestic Partnership or Civil Union Status		■	■	■	■
Sex		■	■	■	■
Gender Identity or Expression		■	■	■	■
Disability		■	■	■	■
Military Service		■			■
Affectional or Sexual Orientation		■	■	■	■
Atypical Cellular or Blood Trait		■			
Genetic Information		■			
Family Status			■		
Source of Lawful Income orSource of Lawful Rent Payment <i>(Includes Section 8)</i>			■		



Sexual Orientation Discrimination – Your Rights

Does New Jersey Law Protect People from Discrimination on the Basis of Sexual Orientation?

Yes. The New Jersey Law Against Discrimination prohibits discrimination based on sexual or affectional orientation. Federal law does not extend protection in this area. This means that it is against the law for you to be treated differently or otherwise denied the rights and privileges extended to others on the basis of sexual orientation. The law also forbids discrimination on the basis of 'perceived' sexual orientation, meaning that the Law protects you if you are subjected to discrimination because someone makes an erroneous presumption about your sexual orientation.

The law is equally applicable to men and women. The sexual orientations specifically included are:

- Heterosexuality, which is attraction to people of the opposite gender
- Homosexuality, which is attraction to people of the same gender
- Bisexuality, which is attraction to people of both genders
- Transgender, which is a person whose gender identity and/or expression differs from the sex they were assigned at birth or
- Gender Identity or Expression, which is an internal, personal sense of being a man or a woman, or an external showing of one's gender identity, usually through "masculine" or "feminine" haircut, attire, voice, or body characteristics

What Kinds of Discrimination Are Illegal?

The law protects you against discrimination in four primary areas: Employment, Access to Public Places, Business Transactions and Housing.

Unlawful Employment Discrimination

Examples of illegal employment discrimination based on sexual orientation include:

- Refusal to hire
- Termination
- Harassment
- Unequal salary or unfair treatment in other terms, conditions or privileges of employment

Exception

The law does not require employers to offer insurance and other fringe benefits to unmarried couples, including same-sex partners of employees who may have been married or civil unioned in other jurisdictions, even if they provide them for married couples.

Places of Public Accommodation

Examples of places of public accommodation in which sexual orientation discrimination is not allowed include places generally open to the public where goods and services are provided. This includes restaurants, movie theaters, stores, camps, organizations, schools, professional offices (such as doctors and lawyers), and other facilities.

Exception

The law does not consider private clubs or schools operated or maintained by a bona fide religious or sectarian institution to be places of public accommodation.

Housing

Individuals are protected from discrimination in the purchase or rental of real estate. This means that a landlord, realtor, rental agent, or seller may not refuse to make available, show, list, sell, or rent a house, apartment, other dwelling unit or commercial property because of any presumptions or actual knowledge of your sexual orientation.

Business Transactions

Individuals are protected from discrimination in any business transaction, such as the purchase of goods or services, or obtaining a loan, mortgage or other form of credit, because of any presumptions or actual knowledge of your sexual orientation.

What Should I Do Next?

When the parties are unable to resolve a dispute themselves, the law provides two basic ways to seek relief under the Law Against Discrimination.

Administrative remedy:

The Department of Law & Public Safety, through its Division on Civil Rights, is responsible for enforcing the Law Against Discrimination (LAD). If you believe that you have been the victim of unlawful discrimination, please visit or phone us at the Division on Civil Rights office closest to where you live or where the discrimination occurred. Our addresses and phone numbers are at the end of this fact sheet, or visit us on the web at www.NJCivilRights.gov.

A complaint must be filed with the New Jersey Division on Civil Rights within 180 days of the act of discrimination. An initial evaluation will be conducted to determine if you state a claim for relief under the LAD. If so, the Division will prepare a complaint for you to sign and then the Division will conduct an investigation into your allegations. If the investigation shows enough evidence to support your complaint (known as probable cause), and your complaint cannot be settled, a hearing will be held in the Office of Administrative Law. You may choose to retain a private attorney to represent you at the hearing, or a lawyer will be provided to prosecute the case on behalf of the New Jersey Division on Civil Rights. At the conclusion of the hearing, the Director of the Division on Civil Rights will make a final decision as to whether unlawful discrimination has been proven and, if so, what remedies should be awarded to the complainant. Other than fees for a private attorney, if applicable, there is no cost to the individual for these services.

Judicial remedy:

In the alternative, an individual who believes he or she has been discriminated against in violation of the LAD may file a complaint and try his or her case in New Jersey Superior Court. Individuals usually hire an attorney to represent them in a Superior Court action. A party cannot file with the Division on Civil Rights and in Superior Court at the same time. A Superior Court action must be filed within two years from the act of discrimination.

What Remedies Are Available?

In employment cases, a prevailing complainant may be entitled to be placed into the job he or she was unfairly denied, with back pay and interest; restoration of employee benefits that the complainant would have received but for the unlawful discrimination; damages for pain, humiliation, and emotional distress caused by the unlawful discrimination; reasonable attorney's fees if the complainant was represented by counsel; and out-of-pocket expenses associated with pursuing the complaint.

In housing cases, a prevailing complainant may be entitled to the house or apartment that was unfairly denied, plus costs associated with finding another place to live; damages for pain, humiliation and emotional distress caused by the unlawful discrimination; and reasonable attorney's fees if the complainant was represented by counsel.

In addition, the Division may impose penalties on the party who violated the LAD of up to \$10,000 for the first violation, up to \$25,000 for a second violation within 5 years, and up to \$50,000 for third and subsequent offenses within 7 years. These penalties are payable to the State, not the complainant. Punitive damages are only available in Superior Court actions.

Remember, it's against the law for anyone to retaliate against you because you have exercised your rights under the New Jersey Law Against Discrimination.



NJ Office of the Attorney General

CIVIL RIGHTS

The Department of Law & Public Safety, through its Division on Civil Rights, is responsible for enforcing the law. To file a complaint, contact or visit the office nearest you:

South Shore Regional Office:

1325 Boardwalk, Tennessee Ave. & Boardwalk
Atlantic City, NJ 08401
Phone: **(609) 441-3100** • Fax: (609) 441-3578

Southern Regional Office:

5 Executive Campus, Suite 107
Cherry Hill, NJ 08034
Phone: **(856) 486-4080**

Northern Regional Office:

31 Clinton Street, Newark, NJ 07102
Phone: **(973) 648-2700** • Fax: (973) 648-4405

Central Regional Office:

140 East Front Street / P.O. Box 090
Trenton, NJ 08625-0090
Phone: **(609) 292-4605** • Fax: (609) 984-3812

Visit our web site at **www.NJCivilRights.gov**



Does New Jersey Law Protect People from Discrimination Based on Gender Identity or Expression?

Yes. The New Jersey Law Against Discrimination (LAD) prohibits discrimination based on gender identity or expression. This means that it is against the law for you to be harassed or denied rights and privileges extended to others because of your gender identity or expression or your transgender status. These protections apply to a broad range of people, including but not limited to people who express or present to the public a gender that does not match their birth certificate, people who change some or all of their sex characteristics through hormones and/or surgery, and people who are transitioning.

What Kinds of Discrimination are Prohibited by New Jersey Law?

New Jersey law protects you against discrimination in four primary areas:

1. Employment

It is unlawful for any employer or labor organization to discriminate against an employee or applicant based on gender identity or gender expression. This means it is unlawful to discriminate when making employment decisions, including:

- Deciding whether to interview or hire an applicant;
- Deciding whether to promote, transfer or discharge an employee;
- Setting job assignments, pay levels, employee benefits or other terms, conditions or privileges of employment.

Where an employer requires employees to follow reasonable dress or grooming standards, employees must be permitted to follow the standards that apply to their gender identity. It is also unlawful to permit workplace harassment based on transgender status, or actual or perceived gender identity or expression.

2. Public Accommodations

Discrimination and harassment are prohibited in places and organizations that are open to some segment of the public, including but not limited to stores, restaurants, hotels, theaters, sports facilities, hair-cutting establishments, medical offices, govern-

ment offices and most schools. This means, for example, it is unlawful to discriminate based on gender identity or expression in admitting and serving patrons, or in assigning rooms, tables or other services and facilities. (Exception: schools operated by a bona fide religious institution are exempt from the LAD.)

3. Business and Financial Transactions

It is unlawful to refuse to do business with any person because of gender identity or expression. This includes buying, selling, leasing, licensing, contracting, trading, or providing goods, services or information. It is also unlawful to discriminate based on gender identity or expression in financial transactions, such as loans, mortgages, extensions of credit and financial assistance.

4. Housing and Real Estate

You are protected from discrimination and harassment in the purchase or rental of a house, apartment, office or other commercial property because of gender identity or expression. (Exception: The LAD does not apply to rentals of a single residential unit in a two-family dwelling, where the owner lives in the other unit; or renting a room or rooms in a single family dwelling that is the owner's residence.)

Harassment/Full and Equal Access:

Harassment and making statements or taking action that show that a person is unwelcome because of gender identity/expression, or making it more difficult for a person to do a job, engage in a business transaction, use a public accommodation or have full and equal access to housing or real estate because of gender identity/expression can also violate the LAD.

Use of Restrooms and Locker Rooms: Individuals are permitted to use restrooms and locker rooms corresponding to their identified gender or expression. Refusal to allow an individual to use the restroom or locker room consistent with his or her gender identity or expression would be unlawful under the LAD.

more...

Reprisal:

The LAD also prohibits reprisal or retaliation because an individual made a good faith complaint about discrimination or harassment based on gender identity or expression, or assisted someone else in making such a complaint.

What Can I Do About Harassment or Discrimination Based on Gender Identity or Expression?

The LAD provides two ways to seek relief:

- **Administrative remedy:** You can file an administrative complaint with the New Jersey Division on Civil Rights (DCR) within 180 days of the act of discrimination. After a complaint is filed, DCR investigates the allegations. If an investigation shows enough evidence to support the complaint, and the complaint cannot be settled, a hearing will be held in the Office of Administrative Law. After that hearing, the DCR Director will issue a final decision as to whether unlawful discrimination has been proven. If discrimination has been proven, the decision will order appropriate remedies.
- **Judicial remedy:** As an alternative, you can file a complaint in the Superior Court of New Jersey, with or without the assistance of an attorney; this type of complaint must be filed within two years from the act of discrimination.
- **Relief available:** The Division on Civil Rights or the Superior Court may order equitable relief, back pay, compensatory damages and attorney fees. The Superior Court may also award punitive damages. In addition, the Division on Civil Rights may impose civil penalties to be paid to the State government.



NJ Office of the Attorney General CIVIL RIGHTS

To file a complaint with the Division on Civil Rights, contact or visit the office nearest you:

Northern Regional Office:

31 Clinton Street, Newark, NJ 07102
Phone: (973) 648-2700 • Fax: (973) 648-4406

Central Regional Office:

140 East Front Street / P.O. Box 090
Trenton, NJ 08625-0090
Phone: (609) 292-4605 • Fax: (609) 984-3812

Southern Regional Office:

5 Executive Campus, Suite 107
Cherry Hill, NJ 08002
Phone: (856) 486-4080 • Fax: (856) 486-2255

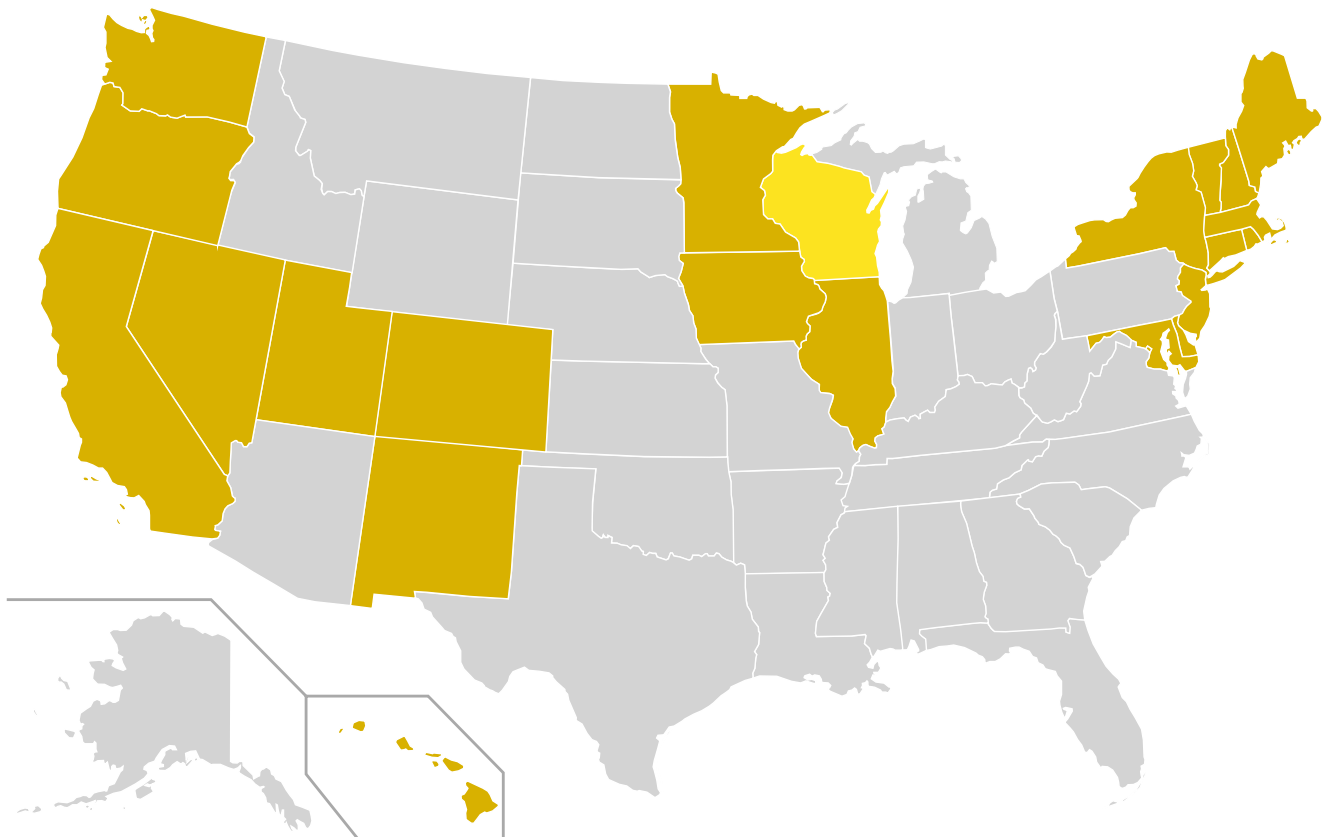
South Shore Regional Office:

1325 Boardwalk, Tennessee Avenue & Boardwalk
Atlantic City, NJ 08401
Phone: (609) 441-3100 Fax: (609) 441-3578



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HOUSING



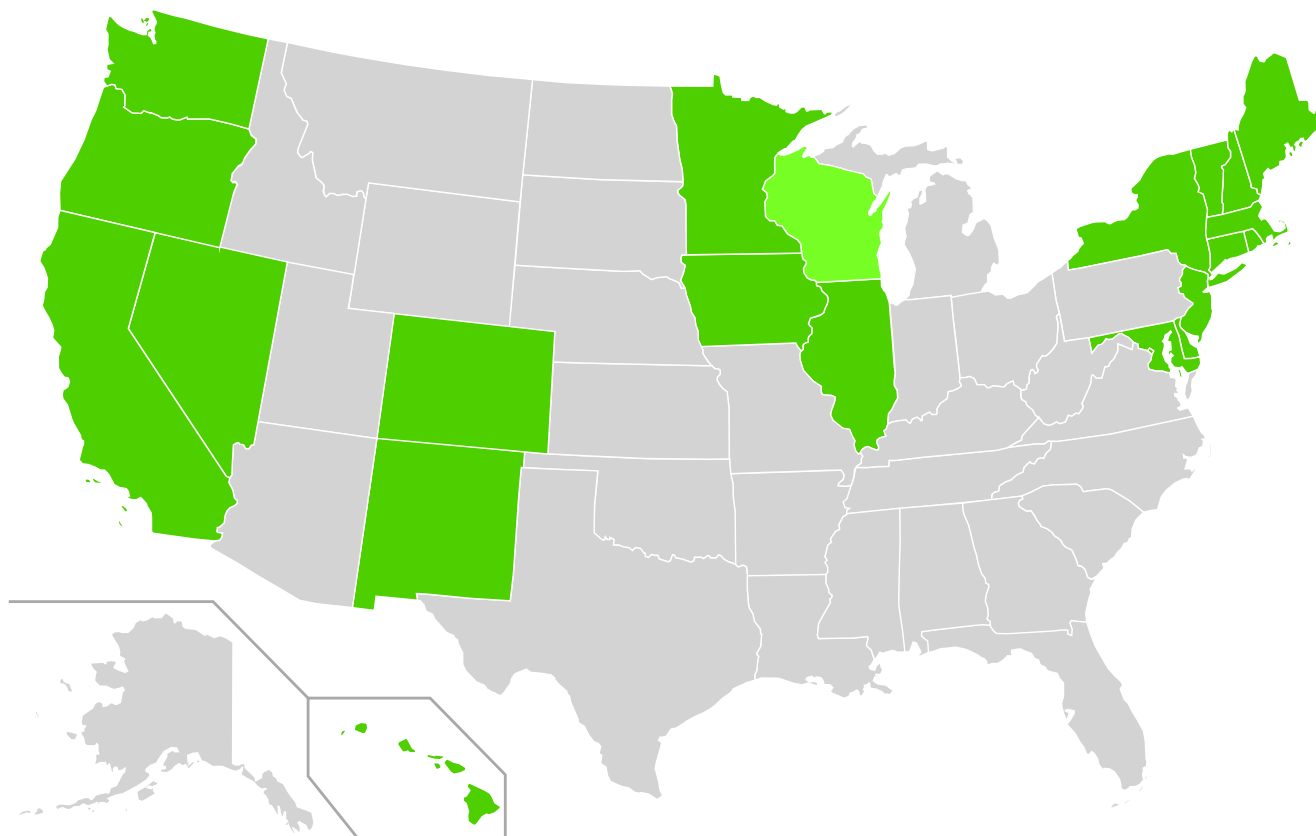
Updated June 11, 2018

-  **Prohibit discrimination based on sexual orientation and gender identity** (21 states & D.C.): California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Utah, Vermont, Washington
-  **Prohibit discrimination based on sexual orientation only** (1 state): Wisconsin

Federal Requirements: The Department of Housing and Urban Development (HUD) requires grantees and participants of HUD programs to comply with local and state non-discrimination laws that include sexual orientation and gender identity. HUD also prohibits inquiries regarding the sexual orientation or gender identity of a prospective tenant or applicant for assisted housing in every state.



PUBLIC ACCOMMODATIONS



Updated June 11, 2018

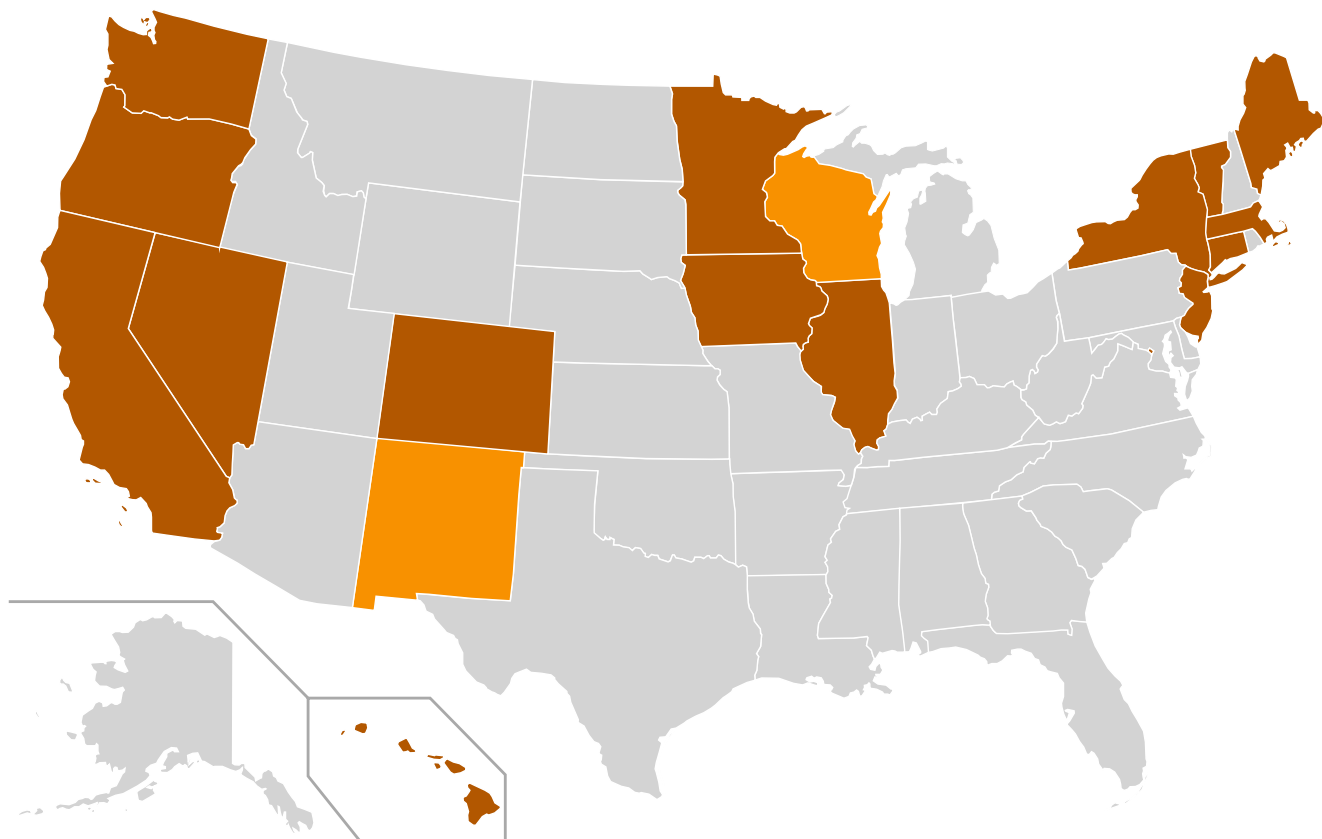
Public accommodations refers to both governmental entities and private businesses that provide services to the general public such as restaurants, movie theaters, libraries and shops. It does not encompass private clubs that have a membership or dues process.

Prohibit discrimination based on sexual orientation and gender identity (20 states & D.C.): California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington

Prohibit discrimination based on sexual orientation only (1 state): Wisconsin





EDUCATION



Updated January 15, 2019

Increasingly, states are explicitly addressing discrimination against LGBTQ elementary and high school students. This map indicates state laws that prohibit discrimination against students in public education on the basis of sexual orientation or gender identity. The states that explicitly address discrimination against LGBTQ students are shown.

-  **Address discrimination against students based on sexual orientation and gender identity** (15 states & D.C.): California, Colorado, Connecticut, District of Columbia, Hawaii, Illinois, Iowa, Maine, Massachusetts, Minnesota, Nevada, New Jersey, New York, Oregon, Vermont, Washington
-  **Address discrimination against students based on sexual orientation only** (2 states): New Mexico, Wisconsin