

U.S.

■ CIVIL RIGHTS ACT OF 1964 (*TITLE VII*)

TERMS: With only limited exceptions, farm operators and other employers who have 15 or more employees for each working day in each of 20 or more weeks this year or last are prohibited from engaging in any of the following practices:

- (1) Refusing to hire a job applicant, harassing or firing an employee, or discriminating in any other way against an individual with respect to wages and other terms or conditions of employment, because of the individual's race, color, religion, national origin, or sex (including gender identity, sexual orientation, and pregnancy).
- (2) Segregating, limiting or classifying job applicants or employees in any way which would deprive them of job opportunities or negatively affect their job status, on the basis of race, color, religion, national origin, or sex (including gender identity, sexual orientation, and pregnancy).
- (3) Printing or publishing notices or advertisements indicating a preference or specification based on race, color, religion, national origin, or sex, except where such preference or specification is a bona fide occupational qualification for employment.

Similar discriminatory practices by employment agencies and labor organizations are also unlawful.

ENFORCEMENT: *Equal Employment Opportunity Commission, Washington, D.C. 20507 (202-663-4900; toll-free 800-669-4000)*. A worker who has been affected by an act of illegal employment discrimination may file a complaint with any district, area or local office of the Commission, but generally no later than 180 days after the act occurred.

If the Commission dismisses the complaint or fails to take action on it within certain time limits, the worker may take legal action against the employer involved directly, using a private attorney or a public legal services program.

SPECIAL NOTE: Numerous state and local agencies have been authorized by the Commission to investigate and resolve employment discrimination cases under state and local laws similar to the Civil Rights Act. In those localities, a worker may not file a complaint with the Commission until at least 60 days after the complaint is filed with the state or local agency, or until action by the state or local agency is terminated, whichever occurs first.

SPECIAL NOTE: An employer may not fire, punish or discriminate against a worker or job applicant because the worker or applicant has filed a complaint or made use of any other right granted by this law.

■ IMMIGRATION AND NATIONALITY ACT (*IMMIGRATION-RELATED EMPLOYMENT DISCRIMINATION*)

TERMS: Under most circumstances, no one who employs more than 3 workers may discriminate against any individual (other than an undocumented worker) with respect to hiring, firing, job recruitment or job referral, when such discrimination is because of (1) the individual's national origin, or (2) the individual's status as a U.S. citizen, or status as a non-citizen who applied for citizenship within 6 months of becoming eligible or has applied and not been naturalized within 2 years after the date of application.

It is not regarded as unlawful for an employer or any other person to prefer to hire, recruit or refer a U.S. citizen over a non-citizen, if the two individuals are equally qualified.

ENFORCEMENT: *Immigrant and Employee Rights Section, Civil Rights Division, U.S. Department of Justice, Washington, D.C. 20530 (202-616-5594; toll-free 800-255-7688)*. A person who has been affected by an act of unfair immigration-related employment discrimination may file a complaint with the Immigrant and Employee Rights Section at any time within 180 days after the act occurred.

SPECIAL NOTE: A person may not fire, punish or discriminate in any way against a worker because the worker has consulted with an attorney or legal services program, filed a complaint, participated in an investigation or other enforcement action, or made use of any other right under this law.

Alaska

■ STATE HUMAN RIGHTS LAW

TERMS: Employment discrimination on the basis of race, religion, color, national origin, physical or mental disability, sex, age, marital status, changes in marital status, pregnancy or parenthood, is unlawful. It is generally illegal for an employer to refuse to hire a worker, or to discriminate against a person in pay or other conditions of employment, on any such grounds.

Except where legitimate job qualifications are involved, the law also makes it unlawful to circulate job announcements or use employment applications which suggest any sort of limitation or discrimination as to sex, physical or mental disability, marital status, changes in marital status, pregnancy, parenthood, age, race, creed, color or national origin.

It is also unlawful to employ a female at a salary or wage rate less than that paid to a male employee for comparable work, or work in the same occupation, business or type of work in the same locality.

ENFORCEMENT: *Alaska State Commission for Human Rights, Anchorage, Alaska 99501 (800-478-4692)*. As an alternative to filing a claim or complaint with the state agency, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any way against a person because the person has opposed a discriminatory practice or has filed a complaint or participated in a proceeding under this law.

Arizona

■ ARIZONA CIVIL RIGHTS ACT

TERMS: In general, farmers and other agricultural employers that have 15 or more employees on each working day in 20 or more different weeks in the current or previous year are prohibited from firing or refusing to hire a worker because of the worker's race, color, religion, sex, age (over 40), national origin, disability, or genetic testing results. Similarly, race, color, religion, sex, age, national origin, disability, or genetic testing results may not be used by any such employer to determine a worker's wage rate or other forms of payment for services.

Notably, the law's prohibition against sexual harassment applies to employers with *one or more* employees in the current or preceding calendar year.

ENFORCEMENT: *Civil Rights Division, Office of the Attorney General, Phoenix, Arizona 85007 (877-491-5742)*. A charge of employment discrimination may not be acted on unless it is submitted to the Division within 180 days after the violation occurred. Under certain conditions, a worker also has the right to sue an employer for discrimination directly, using a private attorney or a public legal services program.

Arkansas

■ **ARKANSAS CIVIL RIGHTS ACT OF 1993**

TERMS: An employer who employs 9 or more workers in Arkansas in 20 or more weeks this year or last may be sued for damages if the employer does any of the following:

- (1) Deprives a person of his or her rights under the state constitution.
- (2) Intimidates, harasses or commits violence against a person because of racial, religious or ethnic hatred.
- (3) Commits employment discrimination against a person on the basis of race, religion, national origin, gender, or disability.

ENFORCEMENT: The Arkansas Civil Rights Act can be enforced only through civil action in state court, using a private attorney or public legal service provider.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

California

■ CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

TERMS: With few exceptions, it is unlawful for any employer who regularly employs 5 or more workers to refuse to hire a job applicant, or to discriminate against a worker with respect to wages or other terms of employment, because of the worker's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, or military and veteran status.

It is also illegal, except under very limited circumstances, for any such employer to refuse to hire, or to fire or demote, any individual over the age of 40 on the basis of age.

These prohibitions also apply to employment agencies and labor organizations.

ENFORCEMENT: *California Department of Fair Employment and Housing, Elk Grove, California 95758 (916-478-7251).*

If the Department has not brought formal charges against the person accused in a worker's complaint within 150 days after the complaint is filed, the worker may take the case to court, using a private attorney or a public legal services program.

Colorado

■ CIVIL RIGHTS LAWS

TERMS: Among other unlawful employment practices, it is generally illegal for an employer to refuse to hire a job applicant, to fire a worker, or to discriminate in the payment of wages against any otherwise-qualified person because of disability, race, creed, color, sex, pregnancy, sexual orientation (including transgender status), religion, age (over 40), national origin, ancestry, or marriage to a co-worker. Employment agencies and labor organizations are prohibited from committing similar acts of discrimination.

ENFORCEMENT: *Colorado Civil Rights Division, Colorado Department of Regulatory Agencies, Denver, Colorado 80202 (303-894-2997; toll-free 800-262-4845).* Anyone who has been subjected to an act of illegal employment discrimination may file a complaint with the Civil Rights Division at any time within 6 months after the act took place.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Connecticut

■ STATE HUMAN RIGHTS LAWS

TERMS: With only limited exceptions, it is illegal for any employer with 3 or more employees to refuse to hire a job applicant, to fire a worker, or to discriminate against a person with respect to wages or the terms or conditions of employment, because of the person's race, color, religious creed, age, sex, sexual orientation, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, or physical disability.

Likewise, job opportunities generally may not be advertised in such a way as to discriminate against potential applicants on any of the above-mentioned grounds.

Similar acts of employment discrimination by employment agencies and labor organizations are also forbidden.

ENFORCEMENT: *Commission on Human Rights and Opportunities, Hartford, Connecticut 06106 (860-541-3400)*. Anyone who has suffered from an act of unlawful employment discrimination may file a complaint with the Commission, provided it is filed within 180 days after the act occurred

Florida

■ FLORIDA CIVIL RIGHTS ACT OF 1992

TERMS: Farm operators and other employers who have at least 15 workers on each working day in 20 or more different weeks during the current or previous year are prohibited from firing an employee, or refusing to hire a job applicant, because of the individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. It is also illegal for such employers to discriminate on any of these same grounds against a worker or job applicant with respect to wages or other conditions of employment, or to limit, segregate or classify employees or job applicants on the same grounds in a way that would tend to deprive them of job opportunities or adversely affect their employment status.

The law further forbids any such employer from publishing or distributing any advertisement or notice relating to employment which indicates a preference or limitation based on race, color, religion, sex, pregnancy, national origin, age, absence of handicap, or marital status.

ENFORCEMENT: *Florida Commission on Human Relations, Tallahassee, Florida 32399 (850-488-7082; toll-free 800-342-8170)*. A worker who has suffered from an unlawful employment practice under the Act may file a complaint with the Commission within 365 days of the alleged violation. If it finds that a violation has occurred, the Commission has authority to provide affirmative relief, including reinstatement, back pay and attorney's fees.

If the Commission confirms a violation, the worker has the option of filing suit against the person responsible directly, using a private attorney or public legal service provider.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by these provisions.

Georgia

■ **GEORGIA EQUAL EMPLOYMENT FOR PERSONS WITH DISABILITIES CODE**

TERMS: Employers with 15 or more employees are prohibited from refusing to hire, from firing, or from otherwise discriminating against a person with a disability, with respect to wages, rates of pay, hours or other terms and conditions of employment because of the person's disability.

An employer may, however, ask about the disability of an applicant and may reject the applicant if the disability would interfere with the person's ability to adequately perform assigned job duties.

ENFORCEMENT: A worker with a disability who has experienced employment discrimination on account of his or her disability may file a complaint in civil court against the employer, using a private attorney or public legal services program. Any such complaint must be filed within 180 days after the alleged incident occurred.

Hawaii

■ STATE LABOR LAWS (*DISCRIMINATORY PRACTICES*)

TERMS:

Unlawful Practices — With only limited exceptions, employers are prohibited from refusing to hire a job applicant, firing an employee, or discriminating against anyone in the payment of wages or in the terms or conditions of employment, because of race, sex (including gender identity or expression), sexual orientation, age, religion, color, ancestry, disability, marital status, arrest and court record, or domestic or sexual violence victim status. Similar acts of discrimination by employment agencies and labor organizations are also illegal.

Employers and employment agencies are forbidden from printing or circulating any statement or advertisement, and from using any form of job application, which indicates any preference or discrimination on these same grounds.

Equal Pay — An employer is generally prohibited from paying workers lower wages than the same employer pays workers of the opposite sex for equal work, on jobs that require equal skill, effort and responsibility and are performed under similar working conditions. Among very few other exceptions, different pay rates that are based on a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or a bona fide occupational qualification do not violate this prohibition.

ENFORCEMENT: *Hawaii Civil Rights Commission, Honolulu, Hawaii 96813 (808-586-8636)*. A worker who has been subjected to an unlawful act of employment discrimination may file a complaint with the Commission within 180 days after the act occurred.

Under certain conditions, the worker has the right to sue the employer involved directly, using a private attorney or a public legal services program.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by these provisions.

Idaho

■ HUMAN RIGHTS LAW

TERMS: An employer who has 5 or more employees on each working day in 20 or more weeks in the current or previous year is forbidden from discriminating in employment against anyone on the basis of race, color, religion, sex, national origin, age over 40, or disability. In general, employment discrimination includes failing or refusing to hire a job applicant, firing an employee, or discriminating against an individual with respect to pay or the terms, conditions or privileges of employment. Similar acts of discrimination by employment agencies and labor organizations are also prohibited.

ENFORCEMENT: *Idaho Commission on Human Rights, Boise, Idaho 83735 (208-334-2664)*. Anyone who believes that he or she has been subjected to unlawful discrimination under these provisions may file a complaint with the Commission within one year after the alleged unlawful discrimination.

A worker also has the right to sue an employer for employment discrimination in civil court, using a private attorney or a public legal services program, provided that the complaint is first filed with the Human Rights Commission and that the Commission issues a formal notice of dismissal of the complaint. Court action may not be filed any later than 90 days after the Commission's dismissal notice.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Illinois

■ ILLINOIS HUMAN RIGHTS ACT

TERMS: Employers who have 15 or more employees during 20 or more weeks this year or last are subject to the employment discrimination provisions of the Human Rights Act, as outlined below. With respect to violations based on a worker's physical or mental disability, the Act applies to any employer with *one or more* employees for any length of time.

Civil Rights Violations — It is a civil rights violation for an employer who is subject to this law to refuse to hire a job applicant, to segregate an employee, or to otherwise discriminate with respect to terms and conditions of employment on the basis of an applicant's or employee's race, color, religion, national origin, ancestry, age, sex, marital status, order-of-protection status, disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service. Similar acts committed by employment agencies and labor organizations are also unlawful.

Language — It is considered a civil rights violation for an employer to prohibit a language from being spoken by an employee in communications that are unrelated to the employee's duties.

Sexual Harassment — It is a civil rights violation for any covered employer (1) to engage in sexual harassment against an employee, or (2) to permit sexual harassment of an employee by any non-employee or by a non-managerial or non-supervisory employee without taking reasonable steps to stop it.

Arrest Record — In general, it is a civil rights violation for an employer to inquire on a written job application whether an applicant has ever been arrested.

Among other exceptions, the Act does not prohibit employers from hiring or selecting between persons on the basis of bona fide occupational qualifications, or from applying different standards of pay or different employment conditions under a merit or retirement system, as long as the system is not used to get around the anti-discrimination purposes of the law.

ENFORCEMENT: *Illinois Department of Human Rights, Chicago, Illinois 60601 (312-814-6200)*. A worker who has been subjected to unlawful employment discrimination may file a complaint with the Department at any time within 180 days after the violation occurred.

SPECIAL NOTE: It is illegal for an employer to retaliate against an employee or a job applicant because the employee or applicant has opposed unlawful discrimination or sexual harassment, or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this Act.

Indiana

■ INDIANA CIVIL RIGHTS LAW

TERMS: With only limited exceptions, employers who have 6 or more workers are prohibited from practicing employment discrimination by (1) excluding a person from equal employment opportunities because of race, religion, color, sex, disability, national origin, ancestry, or veteran status, (2) failing to employ an applicant on the basis of the applicant's race, religion, color, sex, disability, national origin, ancestry, or veteran status, (3) failing to reasonably accommodate an employee with a disability, (4) failing to accommodate an employee for bona fide religious practices, or (5) creating or failing to take action to deal with a hostile work environment or stop sexual harassment. Similar acts of employment discrimination by employment agencies and labor organizations are also forbidden.

It is generally not unlawful for an employer to hire workers, for an employment agency to classify or refer job applicants, or for a labor organization to classify its membership or refer any member for employment, on the basis of sex in those situations where sex is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business involved.

ENFORCEMENT: *Indiana Civil Rights Commission, Indianapolis, Indiana 46204 (317-232-2600; toll-free 800-628-2909)*. A worker who has been subjected to an act of unlawful employment discrimination normally has 180 days from the date the act took place to file a complaint with the Commission.

Workers have the right to enforce the Civil Rights Law in court rather than through administrative action by the Civil Rights Commission. However, both the employee and the employer involved in the complaint must agree in writing to have the matter decided in court.

■ EMPLOYMENT DISCRIMINATION AGAINST DISABLED PERSONS LAW

TERMS: It is unlawful for an employer with at least 15 employees for each working day in 20 or more calendar weeks this year or last to discriminate against a qualified person with a disability on the basis of the person's disability, in regard to:

- Job application procedures
- Hiring
- Training
- Advancement
- Firing
- Other terms and conditions of employment

Similar prohibitions apply to employment agencies and labor organizations.

ENFORCEMENT: *Indiana Civil Rights Commission, Indianapolis, Indiana 46204 (317-232-2600; toll-free 800-628-2909)*.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Iowa

■ IOWA CIVIL RIGHTS ACT OF 1965

TERMS: In general, it is illegal for an employer who regularly employs 4 or more workers to fire an employee, to refuse to hire a job applicant, or to otherwise discriminate in employment because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability of the applicant or employee. Similar acts of discrimination by employment agencies and labor organizations are also prohibited.

Employers of 4 or more workers, as well as employment agencies and labor organizations, are generally not permitted to advertise or indicate in any other way that individuals of a particular age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability are unwelcome or unwanted for employment or membership.

ENFORCEMENT: *Iowa Civil Rights Commission, Des Moines, Iowa 50319 (515-281-4121; toll-free 800-457-4416).* A worker who has been affected by an act of unlawful employment discrimination may file a complaint with the Commission at any time within 300 days after the violation occurred.

Under certain circumstances, at least 60 days after the complaint is submitted, the worker may obtain a release from the Commission and sue the employer or other party directly, using a private attorney or a public legal services program. The worker has 90 days after a release is issued to file suit.

Kansas

■ KANSAS ACT AGAINST DISCRIMINATION

TERMS: A farm operator or any other employer with 4 or more employees may not refuse to hire a job applicant, fire an employee, segregate or make other distinctions between applicants or employees, or discriminate in any other way against such individuals, on the basis of race, religion, color, sex, disability, national origin, or ancestry, without a valid business reason.

Furthermore, it is unlawful for such an employer to circulate any advertisement or statement, or to use any form of job application, which expresses any preference or discrimination as to race, religion, color, sex, disability, national origin, or ancestry. Similar practices by an employment agency or labor organization are also prohibited.

ENFORCEMENT: *Kansas Human Rights Commission, Topeka, Kansas 66612 (785-296-3206)*. A worker affected by an illegal act of employment discrimination may file a complaint with the Commission, no later than 6 months after the alleged violation.

After a case is closed, a worker who has filed a complaint with the Commission and is not satisfied with the Commission's final ruling may take legal action against the person charged in the complaint directly, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Kentucky

■ CIVIL RIGHTS LAW

TERMS: With certain exceptions, it is illegal for an employer who has 8 or more employees in Kentucky, in each of 20 or more weeks in the current or preceding year, to refuse to hire a job applicant, to fire a worker, or to discriminate in any other way against a person with respect to wages or the terms and conditions of employment, because of the person's race, color, religion, national origin, sex, or age (over 40), or because the person is a smoker or non-smoker.

It is also unlawful for such an employer to segregate or classify applicants or employees on any such grounds, in a way which would tend to limit job opportunities or otherwise negatively affect their employment status.

Similar discriminatory acts by employment agencies and labor organizations are likewise prohibited.

ENFORCEMENT: *Enforcement Branch, Kentucky Commission on Human Rights, Louisville, Kentucky 40202 (502-595-4024; toll-free 800-292-5566).* A worker who has been subjected to an act of illegal employment discrimination may file a complaint with the Commission at any time within 180 days after the act occurred.

As an alternative to filing a claim or complaint with the Commission, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program. However, if the complaint has already been filed with the Commission, the court cannot consider it.

Louisiana

■ LOUISIANA EMPLOYMENT DISCRIMINATION LAW

TERMS: With few exceptions, it is illegal for an employer who has 20 or more workers on each working day in 20 or more weeks this year or last to refuse to hire a job applicant, to fire an employee, or to otherwise discriminate against or in favor of an individual with respect to wages or the terms or conditions of employment, because of race, color, religion, sex, national origin, age (over 40), disability, sickle cell trait, or protected genetic information. Likewise, no employer may discipline or fire a veteran for taking time away from work to attend medical appointments required to receive veterans benefits.

Employers with *more than 25 employees* for each working day in 20 or more calendar weeks are prohibited from refusing to promote a female employee because of pregnancy or childbirth, or from denying such an employee the same benefits and employment privileges granted other employees.

ENFORCEMENT: *Louisiana Commission on Human Rights, Office of the Governor, Baton Rouge, Louisiana 94094 (225-342-6969).* A worker who believes that he or she has been subjected to employment discrimination under this law may file a complaint with the Commission within 180 days after the alleged unlawful practice occurred.

As an alternative to submitting a complaint to the Commission, a worker may file suit against the employer involved, using a private attorney or a public legal services program. In general, a suit of this kind cannot be filed any earlier than one year after the discrimination occurred, and the worker must give the employer involved at least 30 days' notice before filing.

Maine

■ MAINE HUMAN RIGHTS ACT

TERMS: In general, it is unlawful for an employer to refuse to hire a job applicant, or to discriminate against an applicant in any other way, because of the applicant's race, color, sex (including pregnancy), sexual orientation, physical or mental disability, religion, age, ancestry, or national origin, or because the individual has ever filed a workers' compensation claim or exercised any other right under the state workers' compensation law.

Similarly, no employer may fire a current employee, or otherwise discriminate against a current employee with respect to wages, benefits, promotion or any other matter related to employment, because of the employee's race, color, sex (including pregnancy), sexual orientation, physical or mental disability, religion, age, ancestry, or national origin. The use of an employment agency which the employer knows or has reason to believe discriminates against individuals on these grounds is also illegal.

ENFORCEMENT: *Maine Human Rights Commission, Augusta, Maine 04333 (207-624-6290)*. The Commission normally cannot process any complaint that is filed later than 300 days after the discriminatory act being reported took place.

A worker has the right to take legal action against a suspected violator directly, using a private attorney or public legal services program. Such a suit must be filed within 2 years after the violation, and the court cannot award any money to the worker unless the complaint is submitted to the Human Rights Commission first for possible settlement.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Maryland

■ HUMAN RELATIONS LAW

TERMS: Employers who had 15 or more workers on each working day in 20 or more calendar weeks this year or last are generally prohibited from committing any of the following acts, among others:

- (1) Refusing to hire a job applicant, firing a worker, or otherwise discriminating against any individual with respect to wages, or the terms and conditions of employment, because of the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, or disability.
- (2) Limiting, segregating or classifying workers or job applicants on any of the grounds listed above, in a way which would deprive them of job opportunities or otherwise negatively affect their employment.
- (3) Publishing any employment notice or advertisement which indicates any preference or discrimination based on race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability (except where religion, sex, age, national origin, marital status, or disability is a bona fide occupational qualification for employment).

Similar discriminatory acts by employment agencies and labor organizations are also illegal.

ENFORCEMENT: *Maryland Commission on Civil Rights, Baltimore, Maryland 21202 (410-767-8600; toll-free 800-637-6247)*. A worker who has been subjected to unlawful employment discrimination may file a complaint with the Commission at any time within 6 months after the discrimination occurred.

If a worker has filed a complaint with the Commission and at least 180 days have elapsed since the complaint was filed, the worker may take action against the employer involved in civil court, using a private attorney or public legal service provider. Any such civil action, however, must be filed no later than 2 years after the unlawful employment practice occurred.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Massachusetts

■ STATE CIVIL RIGHTS LAW

TERMS: Farm operators and most other employers with 6 or more workers are forbidden — on the grounds of an individual's race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, or status as a veteran — from firing or refusing to hire the individual, or from discriminating against the individual with respect to wages or the terms or conditions of employment, unless such treatment is based on a valid job qualification. Moreover, it is unlawful for a private employer to fire, refuse to hire, or otherwise discriminate against a person who is at least 40 years old, because of the person's age.

Any employment-related advertisement or notice, or any job application form, circulated or used by an employer or employment agency which expresses any preference or discrimination as to race, color, religious creed, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, or the handicap of a qualified handicapped person is likewise illegal, unless based on a bona fide occupational qualification.

ENFORCEMENT: *Massachusetts Commission Against Discrimination, Boston, Massachusetts 02108 (617-994-6000)*. Anyone who is subjected to unlawful employment discrimination may file a complaint with the Commission, but no later than 300 days after the discrimination took place.

At any time after 90 days following the filing of a complaint with the Commission, the worker may take legal action against the employer involved directly, using a private attorney or a public legal services program. Such action may not commence any later than 3 years after the unlawful practice occurred.

SPECIAL NOTE: It is illegal to intimidate, threaten, interfere with, or discriminate against a worker because he or she has filed a complaint under this law, testified or participated in any other way in a related investigation or hearing, or exercised any other right granted by this law.

Michigan

■ ELLIOTT-LARSEN CIVIL RIGHTS ACT

TERMS:

Prohibited Acts — It is unlawful for an employer in Michigan to refuse to hire a job applicant, or to fire or discriminate in any other way against an employee, on the basis of religion, race, color, national origin, age, sex, height, weight, or marital status. Circulating an employment notice, or using a job application form, which indicates a preference or limitation based on religion, race, color, national origin, age, sex, height, weight, or marital status, is also illegal.

Employers are further prohibited from requesting information, or making any record, regarding the arrest of a job applicant or employee when the arrest did not result in a conviction.

Similar acts of discrimination by employment agencies and labor organizations are not permitted.

Exception — Where religion, national origin, age, height, weight or sex is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise, an employer, employment agency or labor organization may use such a qualification.

ENFORCEMENT: *Michigan Department of Civil Rights, Lansing, Michigan 48933 (517-335-3165; toll-free 800-482-3604).*

In addition to filing a complaint with the state agency, a worker may sue an employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Minnesota

■ MINNESOTA HUMAN RIGHTS ACT

TERMS: With limited exceptions, it is illegal for an employer, because of race, color, creed, religion, national origin, sex, marital status, public assistance status, familial status, disability, sexual orientation, age, or membership or activity in a local human rights commission, to refuse to hire a job applicant, to maintain an employment system which excludes a person seeking employment, to fire a worker, or to discriminate against a person with respect to wages or the terms or conditions of employment.

Before a person is hired, it is generally unlawful for an employer to do either of the following:

- (1) To require the person to furnish information related to race, color, creed, religion, national origin, sex, marital status, public assistance status, familial status, disability, sexual orientation, or age.
- (2) To print an employment-related notice or advertisement that indicates a preference or discrimination based on race, color, creed, religion, national origin, sex, marital status, public assistance status, familial status, disability, sexual orientation, or age.

Similar acts by employment agencies and labor organizations are also prohibited.

ENFORCEMENT: *Minnesota Department of Human Rights, St. Paul, Minnesota 55155 (651-539-1100; toll-free 800-657-3704)*. Anyone affected by an act of illegal employment discrimination may file a complaint with the Department within one year after the act occurred.

As an alternative to filing a complaint with the state agency, the law gives workers the right to sue in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Missouri

■ HUMAN RIGHTS LAW

TERMS: With only limited exceptions, it is illegal for a farm operator or any other employer who has 6 or more employees to commit any of the following discriminatory acts, among others:

- (1) To refuse to hire a job applicant, to fire a worker, or to discriminate against a worker with respect to wages or the terms or privileges of employment, because of the person's race, color, religion, national origin, sex, ancestry, disability or age (where the person is 40 years old or older, but under 70).
- (2) To segregate or classify workers or job applicants, on any of these same grounds, in a way which would tend to limit an individual's job opportunities or otherwise negatively affect the individual's status as an employee.
- (3) To publish or circulate any advertisement or statement, or use any form of job application, which expresses any limitation, preference or specification related to race, color, religion, national origin, sex, ancestry, disability or age.

Similar acts committed by employment agencies and labor organizations are also prohibited.

ENFORCEMENT: *Missouri Commission on Human Rights, Missouri Department of Labor and Industrial Relations, Jefferson City, Missouri 65102 (573-751-3325; toll-free 877-781-4236)*. Complaints charging illegal employment discrimination may be filed with the Commission at any time within 180 days after the discrimination occurred.

If the Commission has not taken final action on a worker's complaint within 180 days after it is filed, the worker may request written notice from the Commission of the right to sue the employer or other violator involved directly. Within 90 days after notice, and no later than 2 years after the discrimination occurred, the worker may file suit, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

Montana

■ HUMAN RIGHTS LAWS (*ILLEGAL DISCRIMINATION*)

TERMS: It is unlawful for an employer in Montana to refuse to hire an individual, or to discriminate against an individual with respect to pay, benefits or other conditions of employment, because of the individual's race, creed, religion, color, or national origin. Likewise, an employer may not discriminate on the basis of age, physical or mental disability, marital status or sex when there is no valid job-related reason for making such a distinction.

The publication or circulation of an employment advertisement or notice, or the use of a job application form, which expresses a preference or limitation with respect to sex, marital status, age, physical or mental disability, race, creed, religion, color, or national origin is also prohibited, unless such a preference or limitation is based on a valid job qualification.

Employment agencies and labor organizations are also forbidden from engaging in comparable discriminatory acts.

ENFORCEMENT: *Human Rights Bureau, Montana Department of Labor and Industry, Helena, Montana 59624 (406-444-2884; toll-free 800-542-0807)*. In general, a complaint to the Department may be processed only if it is submitted within 180 days after the violation occurred.

If the Department dismisses the complaint or has been unable to resolve it within 180 days of filing, the Department may provide the worker with a written authorization to take the matter to state district court, using a private attorney or public legal services program. Court action must commence no later than 90 days after the worker receives authorization to sue.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by these provisions.

Nebraska

■ NEBRASKA FAIR EMPLOYMENT PRACTICE ACT

TERMS: With only limited exceptions, it is illegal for an employer who has 15 or more employees on each working day in 20 or more weeks of the current or preceding year, to commit any of the following discriminatory acts, among others:

- (1) To refuse to hire a job applicant, to fire a worker, or to discriminate in any other manner against an individual with respect to wages or employment conditions, because of the individual's race, color, religion, sex, disability, marital status, or national origin.
- (2) To segregate or classify employees on any of those same grounds, in a way which would limit a person's employment opportunities or otherwise negatively affect the person's status as an employee.
- (3) To publish or circulate any employment-related notice or advertisement which indicates a preference or discrimination based on race, color, religion, sex, disability, marital status, or national origin, except where religion, sex, disability, marital status, or national origin is a bona fide occupational qualification for employment.

Similar discriminatory acts by employment agencies and labor organizations are also illegal.

ENFORCEMENT: *Nebraska Equal Opportunity Commission, Lincoln, Nebraska 68509 (402-471-2024; toll-free 800-642-6112)*. A person who has suffered from a discriminatory employment practice or act may file a complaint with the Commission at any time within 300 days after the practice or act occurred.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any way against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

Nevada

■ EQUAL EMPLOYMENT OPPORTUNITIES LAW

TERMS: Employers who had 15 or more workers on each working day in 20 or more weeks this year or last are prohibited from:

- (1) Refusing to hire a job applicant, firing an employee, or discriminating in any other way against a worker because of the worker's race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, or national origin.
- (2) Limiting, segregating or classifying a worker on any of these same grounds, in a way that would limit the worker's job opportunities or negatively affect the person's status as an employee.
- (3) Printing or circulating any employment notice which indicates a preference or limitation based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, or national origin.

Similar acts of discrimination by employment agencies are likewise unlawful.

ENFORCEMENT: *Nevada Equal Rights Commission, Nevada Department of Employment, Training and Rehabilitation, Las Vegas, Nevada 89104 (702-486-7161).*

If the Commission's investigation of a worker's complaint does not find evidence of a violation, the worker may take the complaint to civil court, using a private attorney or a public legal services program. Action in court cannot be undertaken later than 180 days after the act of discrimination occurred (not counting the time the complaint was being considered by the Commission).

SPECIAL NOTE: A person may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right under this law.

New Hampshire

■ LAW AGAINST DISCRIMINATION

TERMS: In general, it is illegal for a farm operator or any other employer with 6 or more workers to refuse to hire a job applicant, to fire a worker, or to discriminate against an applicant or worker regarding the terms or conditions of the job, because of the individual's age, sex, race, color, marital status, physical or mental disability, religious creed, national origin, or sexual orientation.

Further, it is unlawful for any such employer to circulate an employment-related statement or advertisement, or to use a job application form, which expresses a preference or discrimination on grounds of age, sex, race, color, marital status, physical or mental disability, religious creed, national origin, or sexual orientation, unless based on a legitimate occupational qualification.

Similar acts committed by an employment agency or labor organization are also prohibited.

ENFORCEMENT: *Commission for Human Rights, Concord, New Hampshire 03301 (603-271-2767)*. A worker who has been subjected to employment discrimination may file a complaint with the Commission at any time within 180 days after the violation occurred.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

New Jersey

■ LAW AGAINST DISCRIMINATION

TERMS: With certain exceptions, it is illegal for employers in New Jersey, because of a person's race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, pregnancy, sex, nationality, gender identity or expression, disability, atypical hereditary cellular or blood trait, liability for U.S. military service, or refusal to submit to a genetic test or reveal the results of a genetic test:

- (1) To refuse to hire the person.
- (2) To fire the person.
- (3) To require the person to retire, unless justified by legitimate factors other than age.
- (4) To discriminate against the person in compensation or in the terms, conditions or privileges of employment.

It is also unlawful to print or circulate any employment-related statement or advertisement, or use any form of job application, which expresses a limitation, specification or discrimination as to race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, gender identity or expression, disability, nationality, pregnancy, sex, or liability of a job applicant for U.S. military service, unless such distinction is a bona fide occupational qualification.

Similar discriminatory acts by employment agencies and labor organizations are likewise prohibited.

ENFORCEMENT: *Division on Civil Rights, Department of Law and Public Safety, Trenton, New Jersey 08625 (609-292-4605).*

As an alternative to filing a complaint with the Department, the law gives workers the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any way against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

New Mexico

■ HUMAN RIGHTS ACT

TERMS: Under most circumstances, it is illegal for any employer who has 4 or more workers to refuse to hire a job applicant, to fire a worker, or to discriminate against an otherwise qualified worker in matters related to wages, benefits or other job conditions, because of the applicant's or worker's race, age, religion, color, national origin, ancestry, sex, physical or mental handicap, or serious medical condition, unless there are valid job-related reasons for such a distinction.

Similar acts (1) committed by an employer with 50 or more employees and against a worker because of his or her marital status, and (2) committed by an employer with 15 or more employees and against a worker because of the worker's sexual orientation or gender identity, are also generally illegal.

Employment agencies and labor organizations are prohibited from engaging in similar discriminatory practices.

ENFORCEMENT: *Investigation and Compliance Unit, Human Rights Bureau, New Mexico Department of Workforce Solutions, Santa Fe, New Mexico 87505 (505-827-6856; toll-free 800-566-9471)*. Anyone adversely affected by an unlawful employment practice may file a complaint with the enforcement agency within 300 days after the alleged act was committed.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

New York

■ HUMAN RIGHTS LAW

TERMS: It is unlawful for an employer of 4 or more workers in the state, because of a person's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, (1) to refuse to hire the person, (2) to fire the person, or (3) to discriminate against the person with regard to wages or the terms or conditions of employment.

The use of any job application, or any employment notice or advertisement, which suggests a preference or discrimination with respect to age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, familial status, or marital status, unless such distinction is based on a bona fide occupational qualification, is also generally prohibited.

In these provisions of the law, the term "age" applies to and is intended to protect workers 18 years of age and older.

ENFORCEMENT: *Division of Human Rights, New York Executive Department, Bronx, New York 10458 (718-741-8402).* At any time within one year after an act of illegal employment discrimination, a person affected by the act may file a complaint with the Division of Human Rights.

As an alternative to filing a complaint with the Division, or if a complaint filed with the Division has been dismissed on certain grounds, the law gives workers the right to sue in civil court to enforce these provisions, using a private attorney or a public legal services program.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint, participated in an investigation, or opposed any practice forbidden under these provisions of the law.

North Carolina

■ **EQUAL EMPLOYMENT PRACTICES ACT**

TERMS: Farm operators and other employers who regularly employ 15 or more workers are prohibited from discriminating against job applicants and workers with respect to employment when such discrimination is based on race, religion, color, national origin, age, sex or handicap.

ENFORCEMENT: *North Carolina Human Relations Commission, North Carolina Department of Administration, Raleigh, North Carolina 27699 (919-807-4420).*

North Dakota

■ HUMAN RIGHTS LAW

TERMS: An employer who has one or more employees for more than 1/4 of the year is prohibited from (1) refusing to hire a job applicant, (2) firing an employee, or (3) treating an employee or job applicant unequally or unfavorably in hiring, training, promotion, compensation, layoff or other terms of employment, because of race, color, religion, sex, national origin, age, physical or mental disability, status with respect to marriage or public assistance, or participation in a lawful activity off the employer's premises during non-working hours.

Advertising, publishing or indicating in some other way that individuals of a particular race, color, religion, sex, national origin, age, physical or mental disability, marital status, public assistance status, or who participate in lawful activity off the employer's premises during non-working hours are unwelcome, objectionable or not acceptable is also illegal.

Exception — It is generally not discriminatory for an employer to refuse to hire a person, or to fire an employee, on the basis of religion, sex, national origin, physical or mental disability, or marital status, in situations where religion, sex, national origin, physical or mental disability, or marital status is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.

ENFORCEMENT: *Human Rights Division, North Dakota Department of Labor and Human Rights, Bismarck, North Dakota 58505 (701-328-2660; toll-free 800-582-8032).* The Department may accept and act on a complaint charging discriminatory employment practices at any time within 300 days of the alleged violation.

Instead of filing a complaint with the Department, anyone affected by an act of employment discrimination may take legal action in state district court against the employer involved, using a private attorney or public legal service provider. Any such action must be filed within 300 days of the alleged violation, but if a complaint is first filed with the Department, court action must commence no later than 90 days after the Department dismisses the complaint or issues a written determination.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a person because the person has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

Ohio

■ CIVIL RIGHTS LAW

TERMS: It is illegal for a farm operator or any other employer with 4 or more employees, because of the race, color, religion, sex, military status, national origin, disability, age or ancestry of any person, to fire the person without just cause, to refuse to hire the person, or to discriminate against the person with respect to wages, the terms and conditions of employment, or any matter directly or indirectly related to employment.

Unless approved in advance by the state enforcement agency, employers of 4 or more workers are not permitted to ask questions concerning a job applicant's race, color, religion, sex, military status, national origin, disability, age or ancestry, or to use any form of job application requesting such information. Employers of 4 or more workers may not publish any advertisement or notice indicating a preference for or discrimination against applicants on any of those same grounds, or make any record of such characteristics prior to employment.

Similar discriminatory acts by employment agencies and labor organizations are also prohibited.

ENFORCEMENT: *Ohio Civil Rights Commission, Columbus, Ohio 43215 (toll-free 888-278-7101).* A worker may file a complaint of a violation of this law with the Commission at any time within 6 months after the violation occurred.

Workers subjected to an unlawful employment practice have a right to sue the employer involved, using a private attorney or public legal service provider. Such a suit must be filed within 180 days after the alleged practice occurred. In the case of age discrimination, however, court action under the civil rights law automatically prevents the worker from filing a charge with the Civil Rights Commission and from filing suit under the state's age discrimination in employment law (*see entry after next*) with respect to the same complaint.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Oklahoma

■ OKLAHOMA ANTI-DISCRIMINATION ACT

TERMS: It is generally illegal for a farm operator or any other employer in Oklahoma to refuse to hire a job applicant, to fire an employee, or to discriminate against a worker with respect to the terms of the job, because of the person's race, color, religion, sex, national origin, age (40 and over), genetic information or disability.

Similarly, in most circumstances, no employer may print an employment notice or advertisement which indicates a preference or bias based on race, color, religion, sex, national origin, age, genetic information or disability.

ENFORCEMENT: *Office of Civil Rights Enforcement, Oklahoma Office of the Attorney General, Oklahoma City, Oklahoma 73105 (405-521-3921)*. A worker who has been affected by an apparent act of employment discrimination may file a complaint with this agency, at any time within 180 days after the act occurred.

If the complaint is not resolved to the worker's satisfaction within 180 days after it is submitted, the agency may provide the worker with a notice of the right to sue, allowing the worker to take legal action against the employer involved in court, using a private attorney or public legal service provider. Court action must commence no later than 90 days after the worker receives the right-to-sue notice.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Oregon

■ CIVIL RIGHTS LAWS

TERMS: It is generally illegal for a farm operator or any other employer to refuse to hire a job applicant, or to fire a worker, because of the individual's race, color, religion, sex, sexual orientation, national origin, marital status, age (if 18 or older), or legally expunged juvenile record. Employers are also prohibited from discriminating against an individual because of the race, color, religion, sex, sexual orientation, national origin, marital status, or age of any other person the individual associates with.

It is also unlawful to discriminate against an individual with respect to pay, or in the terms or conditions of employment, on any of these same grounds, or to circulate any employment-related statement or advertisement, or use any form of job application, which expresses a preference or discrimination based on any such factor.

Other prohibited acts include discrimination against a person because of the person's on-the-job injury or use of workers' compensation rights, the person's military service status, or a disability which does not prevent performance of the work involved. The prohibition on discrimination against injured workers, and workers with physical or mental disabilities, applies only to employers with 6 or more employees.

ENFORCEMENT: *Civil Rights Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0764)*. A worker who has been subjected to unlawful employment discrimination may file a complaint with this agency within one year after the violation occurred.

If, within one year after the filing of a complaint, the agency has been unable to resolve the complaint through conciliation, has not brought formal charges against the employer, or has made no formal determination in the case, the worker may take legal action against the employer in court within 90 days, using a private attorney or public legal service provider.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Puerto Rico

■ EMPLOYMENT DISCRIMINATION LAW

TERMS: It is illegal for an employer to use age, race, color, sex, social or national origin, social condition, political affiliation, or political or religious ideology as the basis for refusing to hire or rehire a job applicant, firing or laying off a worker, discriminating against a worker with respect to pay or the terms or conditions of work, or limiting or classifying employees in a way that tends to deprive a person of job opportunities or affects a person's employment status. Employment discrimination against a person for being a victim — or *perceived* as a victim — of domestic violence, sexual aggression or stalking is similarly illegal.

Employers and labor organizations are generally prohibited from publishing or circulating any announcement which denies job opportunities on grounds of age, race, color, sex, social or national origin, social condition, political affiliation, or political or religious ideology, or for being a victim — or *perceived* as a victim — of domestic violence, sexual aggression or stalking.

ENFORCEMENT: *Antidiscrimination Unit, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2100).*

Regardless of enforcement action by the Department, a worker who has been subjected to illegal employment discrimination may take legal action against the violator directly, using a private attorney or a public legal services program.

Rhode Island

■ STATE FAIR EMPLOYMENT PRACTICES ACT

TERMS: With very limited exceptions, it is illegal for a farm operator or any other employer with 4 or more workers to commit any of the following acts, among others:

- (1) To refuse to hire a job applicant because of the applicant's race, color, religion, sex, sexual orientation, gender identity or expression, disability, age (40 or over), or country of ancestral origin.
- (2) To fire or discriminate against a worker, on any of the same grounds, with respect to pay, the terms or privileges of employment, or any other matter related to employment.
- (3) To recruit or hire workers through any employment agency, placement service, training agency, labor organization, or any other source of job applicants that the employer knows discriminates against individuals because of their race, color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin.
- (4) To use any form of job application which contains questions relating to race, color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin, unless any such factor is a bona fide occupational qualification for the job involved.
- (5) To publish or circulate any employment advertisement or notice indicating a preference or discrimination based on race, color, religion, sex, disability, age, or country of ancestral origin.
- (6) Refusing to reasonably accommodate a worker's or prospective worker's disability, unless the employer can demonstrate that the accommodation would impose a hardship on the employer's business.

Employment agencies and labor organizations are prohibited from similar forms of discrimination.

ENFORCEMENT: *Rhode Island Commission for Human Rights, Providence, Rhode Island 02903 (401-222-2661)*. A worker who has been subjected to discriminatory treatment or suffered from a discriminatory practice outlawed by this law may file a complaint with the Commission.

If the Commission has not held hearings on a complaint within certain time limits, a worker who has been subjected to unlawful employment discrimination may request a right-to-sue notice from the agency and take legal action against the violator directly, using a private attorney or public legal services program. Suit must be filed no later than 90 days after the notice is issued.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

■ CIVIL RIGHTS OF PEOPLE WITH DISABILITIES LAW

TERMS: It is illegal for an employer to discriminate against a person with a disability solely because of the person's disability, as long as the person is qualified for the job and can perform the job with reasonable accommodation and no major cost. This prohibition against employment discrimination applies to recruitment, hiring, promotion or demotion, layoff, termination, pay and benefits.

ENFORCEMENT: *Rhode Island Commission for Human Rights, Providence, Rhode Island 02903 (401-222-2661)*. Any individual with a disability who has been subjected to discriminatory treatment or suffered from a discriminatory practice outlawed by these provisions may file a complaint with the Commission.

If the Commission fails to act on a worker's complaint within 60 days of filing, or the Commission has issued a final order on the complaint, the worker may take legal action in state court against the person or firm responsible for the violation, using a private attorney or public legal service provider.

South Carolina

■ SOUTH CAROLINA HUMAN AFFAIRS LAW

TERMS: In general, it is illegal for an employer who has 15 or more employees for each working day in 20 or more different weeks, to refuse to hire a job applicant, to fire a worker, or to discriminate in any other way against a person regarding the terms or conditions of employment, because of the person's race, religion, color, sex, age (over 40), national origin, or disability.

Likewise, such an employer may not limit, segregate or classify workers or job applicants in any way which would limit a person's job opportunities or otherwise negatively affect employment on the grounds of race, religion, color, sex, age, or national origin.

Publishing an employment advertisement or circulating a job notice which indicates a preference or discrimination based on race, color, religion, sex, national origin or disability is also prohibited.

Similar restrictions against discrimination apply to employment agencies and labor organizations.

ENFORCEMENT: *South Carolina Human Affairs Commission, Columbia, South Carolina 29201 (803-737-7800; toll-free 800-521-0725).* A worker who has been affected by an act of employment discrimination may file a complaint with the Commission at any time within 180 days after the act occurred.

If the Commission has not informally resolved the complaint or started legal action against the employer involved within 180 days after the complaint is filed, or if the Commission has dismissed the charges, the worker may bring suit against the employer directly, using a private attorney or a public legal services program. A lawsuit generally must be filed within one year after the violation occurred, or within 120 days after the Commission dismisses a case, whichever is earlier.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

SPECIAL NOTE: It is unlawful for an employer to reduce the wage rate of any employee as a means of eliminating illegal wage discrimination under these provisions.

South Dakota

■ SOUTH DAKOTA HUMAN RELATIONS ACT OF 1972

TERMS: With very limited exceptions, it is illegal for a farm operator or any other employer to refuse to hire a job applicant, to fire an employee, or to treat any worker unfairly or unequally with respect hiring, training, promotion, layoff, wages, or any term or condition of employment, because of the worker's race, color, creed, religion, sex, ancestry, disability or national origin.

Employers are also generally prohibited from advertising or otherwise indicating that individuals of any particular race, color, creed, religion, sex, ancestry, disability or national origin are unwelcome, objectionable, or not acceptable for employment.

ENFORCEMENT: *Division of Human Rights, South Dakota Department of Labor and Regulation, Pierre, South Dakota 57501 (605-773-3681)*. A worker has up to 180 days after an act of employment discrimination occurs to file a complaint with the Division.

SPECIAL NOTE: It is illegal for anyone to retaliate in any way against an individual because the individual has filed a charge, testified, or helped anyone exercise rights under the Human Relations Act.

Tennessee

■ HUMAN RIGHTS LAW (*EMPLOYMENT DISCRIMINATION*)

TERMS: In general, it is unlawful for a farm operator or any other employer with 8 or more employees to refuse to hire a job applicant, to fire a worker, or to discriminate against an individual with respect to wages or the terms or conditions of employment, because of the individual's race, creed, color, religion, sex, age (40 and over), or national origin.

It is also illegal to limit, segregate or classify employees or job applicants on the basis of any of these same factors in a way which would limit job opportunities or otherwise unfavorably affect employment.

Exception — In those cases where religion, sex or age is a bona fide occupational qualification reasonably necessary to the normal operation of the employer's business, the human rights law does not bar an employer from using an applicant's religion, sex or age in hiring decisions.

ENFORCEMENT: *Tennessee Human Rights Commission, Nashville, Tennessee 37243 (615-741-5825; toll-free 800-251-3589).* A worker whose rights under this law have been violated may file a complaint with the Commission at any time within 180 days after the violation occurred.

As an alternative to filing a complaint with the Commission, the law gives workers the right to sue the violator in civil court to enforce these provisions, using a private attorney or a public legal services program. Suit must be filed within one year after the alleged discriminatory practice ended.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

■ TENNESSEE DISABILITY ACT

TERMS: An employer with 8 or more employees in the state is prohibited from discriminating against a person in hiring, firing and other terms and conditions of employment, based solely on the person's physical, mental or visual disability, unless the disability to some degree prevents the person from performing the duties required or interferes with performance of the work involved.

Likewise, no blind person may be discriminated against in any such employment practices because he or she uses a guide dog.

ENFORCEMENT: *Tennessee Human Rights Commission, Nashville, Tennessee 37243 (615-741-5825; toll-free 800-251-3589).*

As an alternative to filing a complaint with the Commission, a worker who suffers damages due to unlawful discrimination under the Tennessee Disability Act may take legal action against the employer involved, using a private attorney or public legal service provider. Action must be filed within one year after the alleged discriminatory practice ceased.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Texas

■ EMPLOYMENT DISCRIMINATION LAW

TERMS: With very limited exceptions, it is illegal for a farm operator or any other employer who has 15 or more workers for each working day in at least 20 different weeks this year or last, to engage in any of the following acts (among others):

- (1) To refuse to hire a job applicant, to fire a worker, or to otherwise discriminate against an individual with respect to pay, or the terms and conditions of employment, because of race, color, disability, religion, sex, national origin, or age (40 and older).
- (2) To limit, segregate or classify a job applicant or employee on any of these same grounds, in a way that would tend to deprive a person of job opportunities.
- (3) To publish or circulate an employment notice or advertisement indicating a preference or specification based on race, color, disability, religion, sex, national origin, or age.

Employment agencies and labor organizations are prohibited from engaging in similar discriminatory practices.

Exceptions — The law does not prevent employers from applying different pay scales, or different terms and conditions of employment, under a bona fide seniority system, merit system, employee benefit plan, or a system that measures earnings by quantity or quality or production, as long as such differences do not discriminate on the basis of race, color, disability, religion, sex, national origin, or age.

ENFORCEMENT: *Civil Rights Division, Texas Workforce Commission, Austin, Texas 78778 (512-463-2642; toll-free 888-452-4778).* A worker may file an employment discrimination complaint with the Commission at any time within 180 days after the unlawful practice occurred.

Whenever a complaint is dismissed by the Commission, or the Commission does not take legal action to enforce compliance within 180 days after the complaint was filed, the worker may take legal action against the employer directly, using a private attorney or a public legal services program. Court action, either by the Commission or by the worker, may not be commenced later than one year after the complaint was originally filed with the agency.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Utah

■ UTAH ANTIDISCRIMINATION ACT

TERMS: With certain exceptions, it is illegal for an employer who has 15 or more employees on each working day in 20 or more different weeks of the current or previous year, to discriminate in any of the following ways:

- (1) To refuse to hire or promote an individual, who is otherwise qualified, because of race, color, sex, pregnancy or childbirth, age (40 or older), religion, national origin, disability, sexual orientation, or gender identity.
- (2) To fire, demote, or discriminate in matters of pay or the terms and conditions of employment, against a person who is otherwise qualified, on any of the above-mentioned grounds.
- (3) To print or circulate any statement or advertisement, or use any form of job application, which expresses any preference or discrimination as to race, color, religion, sex, pregnancy or childbirth, national origin, age, disability, sexual orientation, or gender identity.

Exceptions — Nothing in the law prevents employers from hiring on the basis of religion, sex, pregnancy, childbirth, age, national origin, disability, sexual orientation, or gender identity when any such characteristic is a bona fide occupational qualification reasonably necessary to the normal operation of the employer's business.

Similar prohibitions against discrimination also apply to employment agencies and labor organizations.

ENFORCEMENT: *Antidiscrimination and Labor Division, Utah Labor Commission, Salt Lake City, Utah 84114 (801-530-6801; toll-free 800-222-1238)*. Anyone who has been affected by an act of illegal employment discrimination may request action by the Division, at any time within 180 days after the alleged practice occurred.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Vermont

■ FAIR EMPLOYMENT PRACTICES LAW

TERMS: With only limited exceptions, it is illegal for employers in Vermont to discriminate against an employee or job applicant because of the individual's race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, or age (18 or over), or to discriminate against a qualified individual with a disability.

Similarly, employers are generally prohibited from publishing or circulating any job notice or advertisement which indicates a preference or discrimination based on race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, age, or disability.

ENFORCEMENT: *Civil Rights Unit, Vermont Attorney General's Office, Montpelier, Vermont 05609 (802-828-3657, toll-free 888-745-9195).*

As an alternative to filing a complaint with the Attorney General's office, a person adversely affected by a violation of these provisions may file suit in superior court, using a private attorney or public legal services program.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law. Complaints of retaliation should be reported to the Attorney General's Office.

Virginia

■ VIRGINIA HUMAN RIGHTS ACT

TERMS: With some narrow exceptions, it is unlawful for an employer with more than 5 but fewer than 15 employees to fire a worker because of the worker's race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions (including breastfeeding).

Likewise, no employer with more than 5 but fewer than 20 employees may fire a worker because the worker is 40 years old or older.

ENFORCEMENT: *Division of Human Rights and Fair Housing, Virginia Office of the Attorney General, Richmond, Virginia 23219 (804-225-2292).*

In the case of a worker who is fired in violation of this law, instead of filing a complaint with the Division of Human Rights, the worker may take legal action against the employer directly, using a private attorney or public legal service provider. Legal action must be filed, though, no later than 300 days after the worker was fired. If the worker filed the complaint with the Division of Human Rights first, a private suit generally may be filed no later than 90 days after the Division makes a final decision on the complaint.

Washington

■ LAW AGAINST DISCRIMINATION

TERMS: In general, it is illegal for an employer who has 8 or more employees to do any of the following:

- (1) Refuse to hire a person because of the person's age (40 and over), sex, marital status, sexual orientation (including gender identity), race, creed, color, national origin, veteran or military status, or disability (including use of a guide dog or other service animal), unless such refusal is based on a bona fide occupational qualification.
- (2) Fire a worker because of the worker's age, sex, marital status, sexual orientation (including gender identity), race, creed, color, national origin, veteran or military status, or disability (including use of a service animal).
- (3) Discriminate against a worker in the payment of wages or in other terms or conditions of employment on any of the above-mentioned grounds.
- (4) Print or circulate any statement or advertisement, use any form of job application, or ask employment-related questions that express a preference, limitation or discrimination as to age, sex, marital status, sexual orientation (including gender identity), race, creed, color, national origin, veteran or military status, or any sensory, mental or physical disability (including use of a service animal).

Employment agencies and labor unions are subject to similar prohibitions.

ENFORCEMENT: *Washington State Human Rights Commission, Olympia, Washington 98504 (toll-free 800-233-3247)*. Anyone affected by an act of employment discrimination may file a complaint with the Commission at any time within 6 months after the act took place.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

West Virginia

■ WEST VIRGINIA HUMAN RIGHTS ACT

TERMS: Farm operators and most other employers who have 12 or more workers in West Virginia for 20 or more weeks in the current or preceding calendar year are generally prohibited from:

- (1) Discriminating against a person with respect to hiring, compensation and other terms and conditions of employment, when the person is able and competent to perform the job and when discrimination is on grounds of race, religion, color, national origin, ancestry, sex, age (40 or over), blindness, or disability.
- (2) Requesting pre-employment information, using any form of job application, or circulating any employment notice, indicating a preference or discrimination with respect to race, religion, color, national origin, ancestry, sex or age.

Employment agencies and labor organizations are subject to similar prohibitions against discrimination.

Exceptions — Pension, retirement, insurance or welfare benefit plans are not considered discriminatory as long as they are not used as a way to get around the law's anti-discrimination purposes. Likewise, hiring or any other employment decision that recognizes a person's race, religion, color, national origin, ancestry, sex, age, blindness, or disability does not necessarily violate the law, provided such a decision is based on a bona fide occupational qualification.

ENFORCEMENT: *West Virginia Human Rights Commission, Charleston, West Virginia 25301 (304-558-2616; toll-free 888-676-5546).* A worker who has been affected by an act of employment discrimination may file a complaint with the Commission at any time within 365 days after the act occurred.

If the Commission fails to take action on a complaint within certain timeframes, or if a complaint is not resolved to the worker's satisfaction, the worker may request a right-to-sue letter from the Commission, permitting legal action against the employer in court, using a private attorney or public legal service provider. A lawsuit must be filed within 90 days of issuance of the letter, or within 2 years after the alleged act occurred, whichever is later.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

■ PREGNANT WORKERS' FAIRNESS ACT

TERMS: Employers with 12 or more employees in West Virginia for 20 or more weeks this year or last are forbidden to discriminate against workers affected by pregnancy, childbirth or related medical conditions, and must make reasonable accommodations for such workers.

Furthermore, an employer with 12 or more employees may not require a job applicant or employee affected by pregnancy, childbirth or a related medical condition to accept an accommodation that the applicant or employee chooses not to accept, and may not require an employee to take leave if another reasonable accommodation can be provided.

ENFORCEMENT: *West Virginia Human Rights Commission, Charleston, West Virginia 25301 (304-558-2616; toll-free 888-676-5546).*

If the Commission fails to take action on a complaint within certain timeframes, or if a complaint is not resolved to the worker's satisfaction, the worker may request a right-to-sue letter from the Commission, permitting legal action against the employer in court, using a private attorney or public legal service provider. A lawsuit must be filed within 90 days of issuance of the letter, or within 2 years after the alleged act occurred, whichever is later.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

Wisconsin

■ WISCONSIN FAIR EMPLOYMENT ACT

TERMS: With few exceptions, employers in Wisconsin are prohibited from engaging in any of the following acts of employment discrimination:

(1) Refusing to hire a job applicant, firing an employee, or discriminating against an individual in promotion, compensation, or the terms, conditions or privileges of employment, because of the applicant, employee or individual's . . .

- Age (40 or over)
- Race
- Creed
- Color
- Disability
- Marital status
- Sex
- Sexual orientation
- Pregnancy or childbirth
- National origin
- Ancestry
- Arrest record
- Conviction record
- Military service
- Use or non-use of lawful products off the employer's premises during non-working hours
- Declining to attend a meeting or to participate in any communication about religious or political matters

(2) Printing or circulating any statement, advertisement or notice, using any form of job application, or requesting information that suggests a preference, limitation or discrimination on any of the above-cited grounds.

(3) Firing or otherwise discriminating against a person because he or she has opposed a discriminatory practice, or because he or she has made a complaint, testified or assisted in any proceeding under this law.

Comparable prohibitions apply to employment agencies and labor organizations.

ENFORCEMENT: *Civil Rights Bureau, Equal Rights Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53708 (414-227-4396)*. Anyone subjected to a discriminatory employment practice may file a complaint with the Civil Rights Bureau at any time within 300 days after the alleged practice occurred.

Wyoming

■ WYOMING FAIR EMPLOYMENT PRACTICES ACT OF 1965

TERMS: In general, it is illegal for a farm operator or any other employer with 2 or more employees to refuse to hire a job applicant, to fire an employee, or to discriminate against an applicant or employee regarding the terms or conditions of employment, because of age (40 and above), sex, race, creed, color, national origin, ancestry, disability, or pregnancy, when the applicant or employee is otherwise qualified to perform the job.

ENFORCEMENT: *Labor Standards Office, Wyoming Department of Workforce Services, Cheyenne, Wyoming 82002 (307-777-7261)*. A worker affected by unlawful employment discrimination may file a complaint with the Department, at any time within 6 months after the violation occurred.

SPECIAL NOTE: It is unlawful for an employer to reduce the wage rate of any employee as a means of eliminating illegal wage discrimination under these provisions.