

## Equal Opportunity Employment



**Equal employment opportunity is enforced by law. Title VII of the Civil Rights Act of 1964 "makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex." Employers must also "reasonably accommodate" an employee's religious beliefs.**

You have a lot of decisions to make as a business owner, but the wrong decisions are illegal. If you have 15 employees or more, you have to follow equal employment opportunity laws. You can't discriminate against people for characteristics like race, gender or religion when you hire, fire, promote or hand out raises. The federal Equal Employment Opportunity Commission (EEOC) enforces the law, as do many state agencies.

**Equal opportunity employment means not discriminating against employees or job applicants because of their age, race, gender, religion, nationality and similar protected characteristics. If an employee can prove you treat your staff unequally, you might have to pay out to settle the case.**

### **What Is EEO?**

The 1964 Civil Rights Act made it a federal crime to discriminate among employees based on "protected classes." The federal government and state governments have expanded the list of covered classes in the 50-plus years since. If you describe yourself as an equal opportunity employer in help wanted ads or on applications, that means you treat employees and job applicants equally, as the law requires.

Equal employment opportunity law bans several types of discrimination:

- Race
- Color
- Religion
- Sex, including pregnancy, gender identity and sexual orientation
- National origin
- Age, if an employee is 40 or older
- Disability
- Genetic information

It's also illegal to discriminate against someone for complaining about discrimination or suing over discrimination. Discrimination includes not just hiring and firing but promotion, harassment, getting training, and receiving wages and benefits.

Some businesses aren't required to offer equal employment opportunities. If you have 14 employees or fewer, you're not required to comply. Religious organizations such as churches or mosques can favor hiring members of their religion over nonbelievers. They're bound by all the other nondiscrimination requirements, though.

## **Enforcing the Law**

Just because equal opportunity is the law doesn't mean all employers obey it. The EEOC has the authority to investigate employee claims that their employer discriminates. If the EEOC finds a complaint has merit, it tries to settle the charge; if that doesn't work, the commission can sue. State agencies do the same for state-level equal-employment laws, which may cover cases federal law does not.

Even a company committed to nondiscrimination may have employees who harass female employees, bully Latinos or insult Muslims. If one of your employees complains they're the target of discrimination, the smartest thing to do is take it seriously. Gather information, investigate the facts and make a fair decision even if you have to discipline a respected manager. If you can handle the complaint to the victim's satisfaction, there's less chance you'll face a lawsuit later.

Source: <https://smallbusiness.chron.com/equal-opportunity-employment-895.html>

**The following is an interesting article about the gender gap and pay. Please read.**

**The narrowing, but persistent, gender gap in pay BY NIKKI GRAF, ANNA BROWN AND EILEEN PATTEN**  
<http://www.pewresearch.org/fact-tank/2018/04/09/gender-pay-gap-facts/>

The gender gap in pay has narrowed since 1980, but it has remained relatively stable over the past 15 years or so. In 2017, women earned 82% of what men earned, according to a Pew Research Center analysis of median hourly earnings of both full and part-time workers in the United States. Based on this estimate, it would take an extra 47 days of work for women to earn what men did in 2017.

By comparison, the Census Bureau found that full-time, year-round working women earned 80% of what their male counterparts earned in 2016.

Our analysis finds that the 2017 wage gap was smaller for adults ages 25 to 34 than for all workers ages 16 and older. Women in this age group earned 89 cents for every dollar a man in the same age group earned.

The estimated 18-cent gender pay gap among all workers in 2017 has narrowed from 36 cents in 1980. For young women, the gap has narrowed even more over time. In 1980, women ages 25 to 34 earned 33 cents less than their male counterparts, compared with 11 cents in 2017.

Why does a gender pay gap still persist?

Much of the gap has been explained by measurable factors such as educational attainment, occupational segregation, and work experience. The narrowing of the gap is attributable in large part to gains women have made in each of these dimensions.

But other factors that are difficult to measure, including gender discrimination, may contribute to the ongoing wage discrepancy. In a 2017 Pew Research Center survey, about four-in-ten working women (42%) said they have experienced gender discrimination at work, compared with about two-in-ten men (22%) who said the same.

One of the most commonly reported forms of discrimination focused on earnings inequality. One-in-four employed women said they have earned less than a man who was doing the same job; just 5% of men said they have earned less than a woman doing the same job.

Both men and women see inequalities in the workplace: In a 2014 Pew Research Center survey, 77% of women and 63% of men said this country needs to continue making changes to give men and women equality in the workplace.