



## *Know Your Rights Resources:* **Overview of Federal Anti-Discrimination Laws**

**[Title VII of the Civil Rights Act of 1964 and the Pregnancy Discrimination Act of 1978](#)** (“Title VII”) forbids discrimination based on sex, including pregnancy, as well as race, color, religion, or national origin in all aspects of employment – from recruitment and hiring to termination. LGBTQ workers are not expressly protected but there has been success in expanding the scope of Title VII to protect employees who fail to conform to traditional gender stereotypes and transgender workers. It applies to all employers with 15 or more employees as well as to unions and registered apprenticeship programs. Aggrieved employees must file their Title VII complaints with the [U.S. Equal Employment Opportunity Commission](#) (the “EEOC”) or with their state or local [Fair Employment Practices Agency](#) (“FEPA”), which is an agency that enforces employment discrimination laws that are similar to Title VII. While Title VII contains no express protections for LGBTQ workers, the EEOC has held that discrimination against an employee because of sexual orientation or transgender status, constitutes discrimination based on sex or sex stereotyping.

**[Title IX of the Education Amendments of 1972](#)** (“Title IX”) prohibits sex discrimination, including harassment based on sex, in all federally-funded educational programs or activities. It applies to most workforce development programs as well as any Registered Apprenticeship Program (RAP) that receives a federal grant or other federal funding. RAPs generally only receive federal funding for specific projects such as a special pre-apprenticeship or OSHA training program which then subjects them to Title IX. Community Colleges for the most part do receive federal funding and are therefore subject to Title IX. To find out if your program receives federal funding, contact your [State Apprenticeship Director](#). Complaints may be filed with the [Department of Education's Office of Civil Rights](#).

**[Executive Order 11246](#)** prohibits sex discrimination in employment by all federal contractors and subcontractors, and applies to all federally-funded projects as well as the employers who work on those projects. There are specific requirements for construction contractors and required affirmative action steps to achieve the federal goals for women and minorities. Federal construction contractor [goals](#) for women are 6.9% of the overall construction site work hours for each trade. Complaints must be filed with the U.S. Department of Labor’s [Office of Federal Contract Compliance Programs](#).

**[The National Apprenticeship Act of 1937](#)** prohibits employment discrimination on the basis of race, color, religion, origin, or sex. It covers apprenticeship programs registered with the Department of Labor, and state apprenticeship programs registered with recognized state apprenticeship agencies. Discrimination complaints must be filed with the Department of Labor's Employment and Training Administration’s [Office of Apprenticeship](#).



[The National Labor Relations Act of 1935](#) protects the rights of employees and employers including protecting the right of employees to organize and to remedy unfair labor practices. Unions have a duty of fair representation to all members and discrimination is explicitly covered. The [National Labor Relations Board](#) is the federal agency that enforces the law. Complaints should be filed with the nearest [regional office](#).

[The Fair Labor Standards Act of 1938 \(FLSA\)](#) established matters such as the minimum wage and the 40 hour work week and is known as the Wages and Hours bill and is enforced by the Department of Labor's [Wage and Hour Division](#). The [Equal Pay Act of 1963](#) is part of this Act although it is enforced by the EEOC. The [Affordable Care Act \(breastfeeding statute\)](#) also amended the FLSA to require that employers provide reasonable break times to employees to pump breast milk for one year after the child's birth. The Department of Labor's FLSA Nursing Mother's Fact Sheet can be found [here](#).

The [Americans with Disabilities Act of 1990 \(ADA\)](#) prohibits discrimination for persons with disabilities and is administered by the [EEOC](#). In addition, federal contractors and subcontractors have to comply with [Section 503 of the Rehabilitation Act of 1973](#). This law includes affirmative action requirements to recruit, hire, promote and retain individuals with disabilities and includes a 7% utilization goal. Complaints can be filed with the Department of Labor's [Office of Federal Contract Compliance Programs](#) (OFCCP).

The [Age Discrimination in Employment Act of 1967 \(ADEA\)](#) prohibits discrimination against persons 40 years of age or older and is administered by the [EEOC](#). There is also an [Age Discrimination Act](#) for programs and activities receiving federal financial assistance. Complaints can be filed with the Department of Labor's [Civil Rights Center](#).

The [Vietnam Era Veterans' Readjustment Assistance Act \(VEVRAA\)](#) requires federal contractors and subcontractors to take affirmative action to employ and advance veterans. VEVRAA is administered by the Department of Labor's [OFCCP](#).

## Workforce Development Programs

The US Department of Labor [Civil Rights Center](#) administers and enforces the anti-discrimination laws that apply to programs funded through the [Workforce Investment Opportunity Act](#). This includes anyone receiving financial assistance and/or participating in programs and activities through the One-Stop American Job Center workforce system. "[T]hose laws generally forbid discrimination on the basis of race, color, religion (including failure to accommodate), sex (including pregnancy and gender identity), national origin (including limited English proficiency), age, disability (including failure to provide accessible facilities, accommodations or modifications, or equally effective communications), and political affiliation or belief." [File a Complaint with the Office of External Enforcement](#) within 180 days of the discrimination.