



WOMEN'S LEGAL DEFENSE FUND

FACT SHEET
SEX DISCRIMINATION IN THE WORKPLACE

Title VII

If you believe you are the victim of sex discrimination in employment, you may have a cause of action under federal civil rights laws. The law most often used to challenge workplace discrimination is Title VII of the Civil Rights Act of 1964. Title VII prohibits employment discrimination on the bases of race, color, religion, and national origin, as well as sex. Title VII covers employers with 15 or more employees, as well as unions, the federal government, and state and local governments. An individual seeking to pursue her rights under Title VII must first file a charge with the Equal Employment Opportunity Commission. In most cases, individuals have 180 days from the alleged discrimination to file a charge. Failure to file in a timely fashion will result in the dismissal of your claim.

What does Title VII do?

Title VII prohibits an employer from discriminating in hiring or firing, promotions, job advertising, wages, job classifications, training programs, fringe benefits (including health insurance and pensions) and job conditions (including sexual harassment). The law also prohibits retaliatory actions taken against an employee seeking to assert her rights.

The following are examples of practices that would, if proved, violate Title VII:

- * Paying a woman lower wages than a man for performing the same job -- or because of her sex.
- * Firing a woman because she becomes pregnant.
- * Providing health or disability insurance that treats pregnancy-related conditions differently from other medical conditions.
- * Offering a woman job benefits in return for sexual favors (a form of sexual harassment).

- * Tolerating a workplace where women are subject to unwelcome sexual advances or comments that create a hostile or offensive working environment.
- * Refusing to promote a woman because of her sex.

How Can I Enforce My Rights Under Title VII?

Title VII is enforced by the Equal Employment Opportunity Commission (EEOC). An individual wishing to pursue her rights under Title VII must first file a charge with the EEOC. You do not need a lawyer to file an EEOC charge. Individuals who are protected by Title VII and who may file charges with the EEOC include employees, former employees, applicants for employment, union members, applicants for union membership, apprentices, and apprenticeship applicants.

Remember, under Title VII, an individual has 180 days from the claimed act of discrimination to file a charge with the EEOC. If you work for the federal government, the deadline for contacting an EEO counselor, and then filing a formal charge, is much shorter. If you live in a jurisdiction where there is a local fair employment practices agency, the filing deadlines may be different, but are equally important. Failure to file a charge in a timely fashion will result in the dismissal of your claim. After a charge is filed, the EEOC will investigate the charge and, if it finds reasonable cause to believe that discrimination has occurred, attempt to conciliate with the employer on your behalf. If no settlement is reached, the EEOC may file a lawsuit on your behalf, or give you a "right-to-sue" letter which will permit you to file suit in federal court on your own behalf.

Other Federal Laws Prohibiting Employment Discrimination

The Equal Employment Opportunity Commission enforces other federal laws prohibiting workplace discrimination which also may be applicable to your situation. They are the Age Discrimination in Employment Act, prohibiting age discrimination; the Equal Pay Act, which prohibits employers from paying lower salaries to women working in the same or similar jobs as men; and the

Americans with Disabilities Act, which prohibits discrimination on the basis of disability.

Where to Call

EEOC

If you want to find out about your rights under Title VII and other federal discrimination laws and get the number for the nearest EEOC field office, call 1-800-USA-EEOC. Washington metropolitan area numbers for the EEOC are as follows:

D.C. Field Office: (202) 275-7377

Baltimore Office: (301) 962-3932

State and Local FEP Agencies

There may be other local civil rights laws applicable to your case. These laws are enforced by state and local fair employment practice (FEP) agencies. In some jurisdictions, FEP agencies also investigate Title VII cases. The numbers for these agencies will be listed in your telephone directory under "fair employment agency" or "human rights office". Washington metropolitan area agencies and their phone numbers are as follows:

District of Columbia Office of Human Rights	(202) 939-8740
Maryland Human Relations Commission	(301) 333-1700
Rockville Human Relations Commission	(301) 468-4265
Prince George's County Human Relations Commission	(301) 925-5070
Montgomery County Human Relations Commission	(301) 468-4260 468-4265
Baltimore City Human Relations Commission	(301) 396-3141
Virginia Council on Human Rights	(804) 225-2292 225-2438
Fairfax County Human Rights Commission	(703) 246-2953
Alexandria Human Rights Commission	(703) 838-6390

If you want more in-depth information about sex discrimination in the workplace, WLDF will have an updated publication, Sex Discrimination in the Workplace, for \$7.95 available in early 1993.

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