**Video #1 Title:** Anti-Discrimination Laws

**Video #1 URL:** <https://www.youtube.com/watch?v=rL5KdrV7tBQ>

**Run Time:** 4:33

**Source:** GreggU/YouTube

**Close Caption Available:** Yes

**Video #2 Title:** Major Employment Discrimination Laws

**Video #2 URL:** <https://www.youtube.com/watch?v=uvomoNX5mcE>

**Run Time:** 3:18

**Source:** The Business Professor/YouTube

**Close Caption Available:** Yes

The two videos above describe a handful of anti-discrimination laws, a few of which are summarized in Figure 1-2 of the HRM textbook, and also mentioned again in appropriate places in the remaining chapters. Following are capsule summarizes of the laws summarized in the videos:

**Civil Rights Act of 1964, Title VII.** Prohibits employment discrimination based on race color, sex, religion, or national origin by employers with 15 or more employees. The act covers both intentional discrimination or discrimination in effect and considers sexual harassment to be a form of sex discrimination.

**Civil Rights Act of 1991.** Allows employees who file suits for intentional discrimination under certain laws to have a jury trial to collect compensatory and punitive damages.

**Affirmative Action,** A key aspect of implementing the spirit and letter of employment discrimination law in the United States has been affirmative action programs. To comply with the Civil Rights Act of 1964, employers with federal contracts or subcontracts and who have 50 or more employees, are required to develop such programs to end discrimination. **Affirmative action** consists of complying with antidiscrimination law and correcting past discriminatory practices. Under an affirmative action program, employers actively recruit, employ, train, and promote minorities and women who may have been discriminated against by the employer in the past, which resulted in their underrepresentation in certain positions.

**Age Discrimination in Employment Act (ADEA).** Prohibits employment practices that discriminate on the basis of age unless age is a bona-fide occupational qualification, or the practice is based on “reasonable factors other than age.” The law covers employers with 20 or more employees, labor unions with 25 or more members, local and state governments, and employment agencies.

**Americans with Disabilities Act (ADA).** Prohibits employers with 15 or more employees from discriminating against individuals with disabilities in all aspects of employment. The act requires employers to “reasonably accommodate” all qualified disabled applicants unless doing so would impose an “undue hardship.”

**Genetic Information Nondiscrimination Act.** Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits genetic information discrimination in employment, took effect on November 21, 2009. Under Title II of GINA, it is illegal to discriminate against employees or applicants because of genetic information. Title II of GINA prohibits the use of genetic information in making employment decisions, restricts employers and other entities covered by Title II (employment agencies, labor organizations and joint labor-management training and apprenticeship programs – referred to as “covered entities”) from requesting, requiring, or purchasing genetic information, and strictly limits the disclosure of genetic information.

The EEOC enforces Title II of GINA (dealing with genetic discrimination in employment). The Departments of Labor, Health and Human Services and the Treasury have responsibility for issuing regulations for Title I of GINA, which addresses the use of genetic information in health insurance.

**Uniformed Services Employment and Redeployment Act (USERRA).** USERRA is a federal statute that protects service members’ and veterans’ civilian employment rights. Among other things, under certain conditions, USERRA requires employers to put individuals back to work in their civilian jobs after military service. USERRA also protects service members from discrimination in the workplace based on their military service or affiliation.

*Questions for Thought and Discussion*

1. Why is sexual harassment classified legally as a form of sex discrimination?

2. Provide an example of where age could be a bona fide occupational qualification.

1. Among the prominent African-Americans who object to affirmative action are Dr. Ben

Carson, world-famous pediatric neurosurgeon and former Secretary of Housing and Urban Development. What might their objection be to affirmative action?

4. The owner of an Indian restaurant in downtown Chicago wants to hire an Indian-American person as a host or hostess. The owner is aware that excluding non-Indian Americans, might be perceived as job discrimination. The owner therefore advertises online for a host or hostess who speaks Hindu. What is your opinion of the legality of such an ad?

5. What scenario can you envision whereby an employer would discriminate against a veteran?