

OCTOBER 1, 2024

# Equal Opportunity Guidance

AT A GLANCE

There are several laws and statutes in place to uphold equal and fair treatment between employees and employers to ensure equal opportunity in the workplace. From discrimination prevention to statistical reporting, CDC upholds the regulations below to ensure all employees—either incoming, present, or former—have equal opportunity.

Regulations, Guidance and Policies

COLLAPSE ALL —

Title VII of the Civil Rights Act of 1964 (Title VII) —

The Civil Rights Act of 1964 was landmark legislation in the United States. It outlawed racial segregation in schools, public places, and employment. The act was designed to help African Americans; however, the bill was amended prior to passage to protect women. It also included white pe for the first time. Furthermore, it created the Equal Employment Opportunity Commission, the agency responsible for enforcing Title VII.

The act prohibits employment discrimination based on the following:

- Race
- Color
- Religion
- Sex (including gender identity, sexual orientation, and pregnancy)
- National origin.

The law prohibits reprisal or retaliation for participating in the EEO process or for opposing any unlawful employment practices covered by Title VII. It also requires employers to reasonably accommodate applicants and employees sincerely held religious practices, unless doing so would cause undue hardship on the employer's business operations.

**See Also:**  
[Learn more about Title VII in the Civil Rights Act of 1964](#) ↗

**The Pregnancy Discrimination Act**

This law amended Title VII to make it illegal to discriminate against a person because of pregnancy, childbirth, or a related medical condition. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

**See Also:**  
[Learn more about the Pregnancy Discrimination Act](#) ↗

Equal Pay Act of 1963 —

This law protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination. Equal work means that the jobs being compared required equal skills, effort and responsibilities, and are performed under similar working

conditions. The law specifically prohibits employers from paying employees of one sex less than those of the opposite sex who perform equal work.

**See Also:**

[Learn more about the Equal Pay Act of 1963](#) 

Age Discrimination in Employment Act (ADEA) of 1967

This law prohibits employment discrimination against persons 40 years of age or older in the United States. The ADEA includes a broad ban against age discrimination and also specifically prohibits:

- Discrimination in hiring, promotions, wages, or firing/layoffs.
- Statements or specifications in job notices or advertisements of age preference and limitations.
- Denying benefits to older employees.
- Mandatory retirement in most sectors, with phased elimination of mandatory retirement for tenured workers

Mandatory retirement based on age is permitted for executives over age 65 in senior policy-making positions and eligible for a pension over a minimum yearly amount. It also applies to pilots 60 years of age and older.

**See Also:**

[Learn more about the ADEA](#) 

Title I and Title V of the Americans with Disabilities Act (ADA) of 1990

The ADA provides a wide range of civil rights protection for individuals with disabilities (mental and/or physical impairments that limit major life activities). Titles I and V prohibit employment discrimination against qualified individuals with disabilities in private businesses and in state and local governments, but who are otherwise qualified for employment.

The ADA prohibits discrimination in all employment practices, including:

- Job application procedures
- Hiring
- Firing
- Training
- Compensation
- Advancement
- Any other terms, conditions, or privileges of employment.

The ADA does not require preferential treatment of individuals with disabilities, as employers are free to select the most qualified applicant for the position. However, it does prohibit discrimination based solely on a candidate's real or perceived disability.

**See Also:**

[Learn more about the ADA](#) 

Sections 501 and 505 of the Rehabilitation Act of 1973

This law prohibits discrimination against qualified individuals with disabilities who work in the federal government.

See Also:

[Learn more about Sections 501 and 505](#)

Civil Rights Act of 1991



This is a United States statute passed in response to a series of Supreme Court decisions which limited the rights of employees who had sued their employers for discrimination. The Act was the first effort since the Civil Rights Act of 1964 to modify some of the basic procedural and substantive rights provided by federal law in employment discrimination cases. It provided the right to trial by jury on discrimination claims and introduced the possibility of emotional distress damages, while limiting the amount that a jury could award.

The 1991 Act combined elements from two different civil rights acts of the past: The Civil Rights Act of 1866 (or "Section 1981") and the Employment-related provisions of the Civil Rights Act of 1964 (or "Title VII").

The two statutes, passed nearly a century apart, approached the issue of employment discrimination very differently:

<b>Discrimination basis</b>	<ul style="list-style-type: none"><li>• Section 1981: Prohibited only discrimination based on race or color</li><li>• Title VII: Prohibited discrimination on the basis of sex, religion, and national origin</li></ul>
<b>Compensation</b>	<ul style="list-style-type: none"><li>• Section 1981: Allowed plaintiffs to seek compensatory damages and trial by jury</li><li>• Title VII: Allowed only trial by the court and provided for only traditional equitable remedies (backpay, reinstatement and injunctions against future acts of discrimination)</li></ul>

By the time the 1991 Act was passed both allowed for an award of attorney's fees.

See Also:

[Learn more about the Civil Rights Act of 1991](#)

The Genetic Information Nondiscrimination Act of 2008 (GINA)



This law makes it illegal to discriminate against employees or applicants because of genetic information. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder or condition of an individual's family members (i.e. an individual's family medical history). The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

See Also:

[Learn more about GINA](#)


Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002



Section 301 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (the No Fear Act), requires federal agencies to post statistical data pertaining to complaints of employment discrimination filed against it by employees, former employees and applicants for employment under 29 C.F.R. Part 1614. The specific data to be posted is described in section 301(b) of the Act and 29 CFR 1614.704. The required summary statistical data for EEO complaints filed against CDC is available on the [Whistleblower Protection Enhancement Act and No Fear Act page](#).




In addition, Section 302 of the No Fear Act requires CDC to post government-wide, summary statistical data pertaining to hearings requested under 29 C.F.R. Part 1614 and appeals filed with EEOC. The specific data to be posted is described in section 302(a) of the Act and 29 CFR 1614.706. That data is also available on the [Whistleblower Protection Enhancement Act and No Fear Act page](#). The posting of EEO data on agency public websites is intended to assist Congress, federal agencies and the public to assess whether and the extent to which agencies are living up to their equal employment opportunity responsibilities.

**See Also:**

[Learn more about the No Fear Act](#) 

Architectural Barriers Act of 1968 (42 U.S.C. §§ 4151–57)



The Architectural Barriers Act (ABA) requires access to facilities that are designed, built, altered, or leased with federal funds. The Access Board is the federal agency responsible for enforcing the ABA. The [accessibility standards](#)  and [information about filing a complaint](#)  may be found on the [Access Board's website](#) .

**See Also:**

[Learn more about the Architectural Barriers Act](#) 

SOURCES

**CONTENT SOURCE:**

[About the Office of Equal Employment Opportunity and Workplace Equity \(OEEOWE\)](#)