

EEOC Section 202.6 - Gender Discrimination Guidelines

Title VII of the Civil Rights Act prohibits discrimination based on sex. This includes:

- Stereotyping based on gender roles
- Use of gender-specific language that implies capability differences
- Assumptions about family responsibilities or commitment

Prohibited language patterns:

- Communal traits (nurturing, supportive, collaborative) disproportionately applied to women
- Agentic traits (assertive, decisive, strategic) disproportionately applied to men

Price Waterhouse v. Hopkins (1989) established that gender stereotyping constitutes discrimination even when not explicitly stated.

Recommendations:

- Use objective, job-related criteria
- Document specific behaviors and outcomes
- Avoid personality-based assessments
- Focus on performance metrics