

EEOC Laws .docx

by Lmuri Mbogo

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Equal Employment Opportunity Commission (EEOC) Laws

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Equal Employment Opportunity Commission (EEOC) Laws

Fair treatment for all employees and job applicants is essential in every workplace. The Equal Employment Opportunity Commission (EEOC) helps to achieve this by enforcing federal laws prohibiting workplace discrimination (EEOC, 2015). The EEOC safeguards equal opportunities by overseeing employer compliance with these laws. They achieve this through monitoring, guiding, and assisting employers to establish affirmative actions that promote fairness in hiring, promotion, and other workplace aspects. Additionally, EEOC empowers employees by educating them about their rights and investigating discrimination claims. The EEOC remains a critical force in maintaining workplace equality by enforcing laws like Title VII of the Civil Rights Act of 1964, the Pregnancy Discrimination Act, and the Equal Pay Act of 1963. This paper explores the purpose of EEOC laws and their ongoing relevance in the workplace today.

1 What is the EEOC?

The Equal Employment Opportunity Commission (EEOC) is a United States government agency responsible for enforcing federal laws prohibiting employment discrimination. The forms of discrimination could be based on race, color, religion, sex, pregnancy and related conditions, national origin, age (40 or older), disability, or genetic information (EEOC, 2015). EEOC covers most employers with at least 15 employees (20 employees in age discrimination cases), labor unions and employment agencies. The EEOC's role includes investigating discrimination charges, attempting to settle charges, and filing lawsuits if necessary to protect individuals' rights and combat workplace discrimination. Additionally, the EEOC works to prevent discrimination through outreach, education, and technical assistance programs. It also guides federal agencies on equal employment opportunity programs.

EEOC Laws, Purpose, and Relevance

The EEOC enforces a set of federal laws prohibiting discrimination in employment based on various protected characteristics. One key ⁷ legislation is Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, religion, national origin, or sex (Act, 1964). This law not only eradicates intentional discriminatory practices but also addresses those with a disparate impact on protected groups. Intentional discrimination occurs when an employer treats employees unfavorably ¹¹ because of their race, color, religion, sex, or national origin. Disparate impact are practices or policies that, while neutral on their face, disproportionately harm a particular group. This law fosters equal workplace opportunities by ensuring fair treatment and protection against discrimination for all employees. Additionally, Title VII safeguards ³ employees from retaliation for reporting discrimination or involvement in related investigations.

Today, Title VII remains highly relevant as discrimination continues to be a pressing issue in the workplace. Despite progress, various forms of discrimination persist, including racial, gender, and religious discrimination. Title VII provides a legal framework for addressing these issues, holding employers accountable for discriminatory practices, and promoting diversity and inclusion (Act, 1964). Additionally, Title VII fosters a good culture of equality and fairness in an increasingly diverse workforce. Therefore, through its enforcement efforts, the EEOC upholds the principles of equality and fairness to create a more inclusive and diverse workforce.

Secondly, EEOC enforces ⁸ the Pregnancy Discrimination Act (PDA), an amendment to Title VII of the Civil Rights Act of 1964 (McCann & Tomaskovic-Devey, 2021). PDA makes it ¹⁴ illegal to discriminate against women based on pregnancy, childbirth, or related medical

conditions. This act ensures that women are not mistreated in the workplace due to their pregnancy status, extending the protections of Title VII to encompass these specific circumstances (McCann & Tomaskovic-Devey, 2021). By amending Title VII, the Pregnancy Discrimination Act aims to promote equal opportunities for women in employment, protecting their rights to work without facing discrimination based on pregnancy-related factors. The PDA is still relevant today as pregnancy discrimination continues to be a significant issue in the workplace. Despite legal protections, pregnant women often face challenges such as being denied reasonable accommodations, adverse actions, or unfair treatment. Thus, the act addresses these issues, providing a legal framework to protect pregnant women from discrimination.

Regarding pay, EEOC enforces ² the Equal Pay Act of 1963 (EPA), which ensures gender equality in the workplace by prohibiting wage discrimination based on sex. The EPA mandates equal pay for men and women performing equal work within the same establishment. This includes equal pay for ² skill, effort, responsibility, and similar working conditions (Bailey et al., 2023). This law addresses the historical gender wage gap between ² men and women doing the same job. The EPA remains relevant today as gender pay disparities persist in many industries and occupations. Despite progress, women, on average, still earn less than men for performing the same work (Bailey et al., 2023). The EPA provides a legal framework to challenge and rectify such disparities, offering protections against retaliation for individuals who report pay discrimination or participate in related investigations or lawsuits. As efforts to achieve gender equality in the workforce continue, the EPA promotes fair pay practices in employee compensation.

EEOC further ³ enforces Title I of the Americans with Disabilities Act of 1990 (ADA), which illegalizes discrimination against qualified individuals with disabilities. The ADA ensures

that persons with disabilities are not dismissed or mistreated due to their condition, provided they qualify for the job (Blanck, 2023). Under ADA 1990, ¹ employers must provide reasonable accommodations to qualified individuals with disabilities unless doing so would cause undue hardship to the employer. ADA remains highly relevant as it protects the rights of individuals with disabilities in the workplace today. Despite progress, people with disabilities still face barriers to employment, including discrimination and lack of accommodation (Blanck, 2023). The ADA's provisions against retaliation also protect individuals when asserting their rights under the law. ^{Article Error (ETS)}

Furthermore, the ADA 1190 is supported by ¹⁷ Sections 102 and 103 of the Civil Rights Act of 1991 and the Americans with Disabilities Act (ADA), as well as Sections 501 and 505 of the ⁹ Rehabilitation Act of 1973. ^{Article Error (ETS)} Sections 102 and 103 grant plaintiffs the right to a jury trial and ¹⁹ compensatory and punitive damages in cases of intentional discrimination (Blanck, 2023). This amendment strengthens the enforcement mechanisms of these laws, providing avenues for redress and accountability for discriminatory practices. ¹³ Sections 501 and 505 prohibit federal employers from discriminating against a qualified person with a disability and retaliation against individuals who report discrimination (Murphy, 2020). Additionally, these sections mandate that federal agencies offer reasonable accommodation to qualified individuals with disabilities. These laws are relevant and critical for promoting equal employment opportunities for persons with disabilities.

The EEOC also enforces ¹² the Genetic Information Nondiscrimination Act of 2008 (GINA), a federal law prohibiting discrimination against employees or job applicants based on their genetic information (Lenartz et al., 2021). GINA 2008 forbids ²⁰ employers from utilizing genetic information in decisions related to hiring, termination, promotion, or conditions of

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employment. This ¹⁰ includes information about an individual's genetic tests, the genetic tests of their family members, and any family medical history. On this note, employers with 15 or more employees are restricted from requesting, mandating, or obtaining genetic information ^{Prep. (ETS)} except under specific circumstances.

Additionally, GINA prohibits retaliation against individuals who oppose genetic discrimination or participate in proceedings related to genetic discrimination claims (Lenartz et al., 2021). GINA remains highly relevant in protecting individuals from discrimination based on their genetic information, particularly as genetic testing becomes more common and accessible. The law helps ensure that individuals can undergo genetic testing or disclose their genetic information for medical purposes without fear of adverse employment consequences. Similarly, GINA promotes privacy and autonomy over genetic information, supporting individuals' rights to make informed decisions about their health without interference from their employers.

Conclusion

¹⁸ The Equal Employment Practices Commission (EEOC) enforces various federal laws, ⁵ including Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act of 2008. ^{Sp. (ETS)} The primary purpose of these laws is to ensure equal employment opportunities and prevent discrimination in the workplace. Similarly, these laws prohibit retaliation against individuals who assert their rights under these laws. In today's evolving workforce, these laws remain highly relevant, protecting individuals from discrimination and harassment and promoting workplace diversity, equality, and ^{Sp. (ETS)} inclusivity. Therefore, by safeguarding equal opportunity, the EEOC empowers a diverse workforce and ensures a level playing field where everyone can succeed.

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