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EEPC Laws

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EEPC Laws

Fair and equal treatment in the workplace is a fundamental right for every employee and job applicant. The Equal Employment Practices Commission (EEPC) of New York City is dedicated to upholding this right by overseeing and enforcing myriad laws that promote equality and prevent discrimination. The EEPC is a crucial watchdog, ensuring employers maintain affirmative employment programs and equal opportunities. By advising and assisting in establishing affirmative plans, measures, and programs, the EEPC aims to eradicate discriminatory practices and educate employees about their rights. By enforcing federal laws such as ¹ Title VII of the Civil Rights Act of 1964, the Pregnancy Discrimination Act, and the Equal Pay Act of 1963, the EEPC remains relevant and essential in safeguarding workplace equality. This paper explores the purpose and continued relevance of EEPC laws, starting with an overview of the EEPC's role and then examining the specific laws it enforces.

What is the EEPC?

¹⁷ The Equal Employment Practices Commission (EEPC) is an independent, non-mayoral agency within New York City dedicated to overseeing and enforcing equal opportunity within the City's employment practices. It fulfills this mission through several vital functions of audits, evaluates, and monitors the City's employment programs, policies, and procedures to ensure they align with principles of equal opportunity. Additionally, the EEPC advises and assists municipal entities in developing and implementing affirmative action plans to promote equal employment opportunities. The commission also plays a crucial role in educating employees about their rights regarding equal opportunity in the workplace. Furthermore, the EEPC investigates discrimination complaints and ensures that complaint procedures comply with relevant laws, working to uphold fairness and equality in New York City's workforce.

Federal Laws Enforced by the EEPCC

The EEPCC enforces a set of federal laws prohibiting discrimination in employment based on various protected characteristics. One key legislation is Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, colour, 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. It is designed to foster equal opportunities in the workplace by ensuring fair treatment and protection against discrimination for all employees. Additionally, Title VII prohibits retaliation against individuals who report discrimination or participate in related proceedings, strengthening protective measures for workers.

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). Title VII is crucial in fostering a good culture in an increasingly diverse workforce. Therefore, through its enforcement efforts, the EEPCC upholds the principles of equality and fairness to create a more inclusive and diverse workforce.

Secondly, EEPCC enforces the Pregnancy Discrimination Act (PDA), an amendment to Title VII of the Civil Rights Act of 1964 (McCann & Tomaskovic-Devey, 2021). PDA prohibits discrimination 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, EEPD enforces ²¹ the Equal Pay Act of 1963 (EPA), which ensures gender equality in the workplace by prohibiting wage discrimination based on sex. EPA requires all employers to pay equal wages to men and women who work equally (Bailey et al., 2023). This law addresses the historical gender wage gap between men and women doing 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.

EEPC further enforces ⁵ 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 ³ the ADA, 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.

Furthermore, the ADA 1190 is supported by 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 Rehabilitation Act of 1973. Sections 102 and 103 allow for jury trials and 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. Sections 501 and 505 prohibit federal employers from discriminating against a qualified person with a disability and retaliation against individuals who report discrimination. Additionally, these sections require federal agencies to provide reasonable accommodations to qualified individuals with disabilities. These laws are relevant and critical for promoting equal employment opportunities for persons with disabilities.

The EEOC also enforces 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). This includes information about an individual's genetic tests, the genetic tests of their family members, and any family medical history. GINA prohibits employers from requesting, requiring, or purchasing genetic information except in limited 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

The Equal Employment Practices Commission (EEOC) enforces a range of federal laws, including Title VII of the Civil Rights Act of 1964, Equal Pay Act, Americans with Disabilities Act, and Genetic Information Nondiscrimination Act of 2008. The primary purpose of these laws is to ensure equal employment opportunities and prevent discrimination in the workplace. They prohibit discrimination based on protected characteristics such as race, sex, age, disability, and genetic information. 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 inclusivity. Therefore, by safeguarding equal opportunity, the EEOC empowers a diverse workforce and ensures a level playing field where everyone can succeed.

References

- Act, C. R. (1964). Title VII of the Civil Rights Act of 1964. *Retrieved October 21, 2005.*
- Bailey, M. J., Helgerman, T. E., & Stuart, B. A. (2023). How the 1963 Equal Pay Act and 1964 Civil Rights Act Shaped the Gender Gap in Pay (No. w31332). National Bureau of Economic Research. <https://www.nber.org/papers/w31332>
- Blanck, P. (2023). On the importance of the Americans with Disabilities Act at 30. *Journal of Disability Policy Studies*, 34(3), 176-198.
- EEPC (2015). Equal Employment Practices Commission.
<https://www.nyc.gov/site/eepc/index.page>
- Lenartz, A., Scherer, A. M., Uhlmann, W. R., Suter, S. M., Hartley, C. A., & Prince, A. E. (2021). The persistent lack of knowledge and misunderstanding of the Genetic Information Nondiscrimination Act (GINA) more than a decade after passage. *Genetics in medicine*, 23(12), 2324-2334. <https://doi.org/10.1038/s41436-021-01268-w>
- McCann, C., & Tomaskovic-Devey, D. (2021). Pregnancy Discrimination at Work.
<https://www.umass.edu/employmentequity/sites/default/files/Pregnancy%20Discrimination%20at%20Work.pdf>
- Murphy, K. L. (2020). Civil rights laws: Americans with Disabilities Act of 1990 and section 504 of the Rehabilitation Act of 1973: IA v. Seguin indep. sch. dist. 881 F. supp. 2d 770. *Journal of Physical Education, Recreation & Dance*, 92(1), 57-59.
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