



COMMISSION FOR SOCIAL JUSTICE
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FACT SHEET: HOW TO FIGHT WORKPLACE DISCRIMINATION

If you believe you are being discriminated against on the basis of your Italian heritage, there is something you can do about it.

First, go to your workplace's Human Resource department to inform them of the problem and ask that action be taken. If your firm has no HR department, speak to your supervisor, the company president or whoever is in charge to make them aware of the problem.

If your company does not take action, start keeping a log documenting the day, time, offense and the names of any witnesses. Save any emails or memos that prove your case and show them and the log to the people in charge at your workplace.

If the problem persists, consider filing a complaint with the U.S. Equal Employment Opportunity Commission (EEOC). The following information is based on literature from the EEOC.

- **CAN I FILE A COMPLAINT BASED ON MY ETHNIC HERITAGE?**

Yes. It is a complaint based on nationality or ethnic background, called **National Origin Discrimination**. The EEOC defines this as unfavorable treatment of an individual by an employer because he/she comes from a particular place, his/her ethnicity or accent, or he/she appears to have a particular ethnic background. National Origin Discrimination also includes the unfavorable treatment of an individual because of marriage or other association with someone of an identifiable nationality.

- **IS WORKPLACE DISCRIMINATION ILLEGAL?**

Yes. Title VII of the Civil Rights Act of 1964 (often referred to as "Title VII") forbids employment discrimination (recruitment, hiring, promotion, transfer, wages and benefits, work assignments, leave, training, discipline, layoff and discharge) based on race, color, religion, sex, or **national origin**.

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- **WHAT EMPLOYERS OR INSTITUTIONS DOES TITLE VII APPLY TO?**
Title VII covers all private employers; all state, local and federal governments; and educational institutions that employ 15 or more individuals.

Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

- **WHAT SHOULD I DO IF I AM DISCRIMINATED AGAINST AT WORK?**

If you have been subjected to ethnic insults or harassed by the conduct of other employees as a result of your ethnic background, you may file a charge of discrimination with the U.S. Equal Employment Opportunity Commission within 180 days of the alleged incident. This deadline is extended to 300 days if the charge is also covered by state or local anti-discrimination laws.

- **WHO CAN FILE A DISCRIMINATION CHARGE?**

Anyone who believes that his or her employment rights have been violated through discrimination can file a charge with the EEOC. Also another individual, an organization, or agency may file a charge on your behalf to protect your identity.

- **WHAT HAPPENS IF THE EEOC FINDS IN MY FAVOR?**

The remedies available for job discrimination may include hiring, reinstatement, reasonable accommodation, promotion, back pay, front pay, etc. Further, The Civil Rights Act of 1991 authorizes compensatory and punitive damages in cases of intentional discrimination, and provides for obtaining attorneys' fees and the possibility of jury trials.

- **WHAT INFORMATION MUST I SUBMIT TO FILE A CHARGE?**

You must supply:

- your name, address and telephone number
- the name, address and telephone number of your employer, employment agency, or union that has allegedly discriminated against you
- the number of employees and
- a short description and date of the incident(s).

For more information on how to file a charge, locate the nearest EEOC office by calling 1-800-669-4000 or www.eeoc.gov. A charge may be filed by mail or in person.

To request free publications, contact the EEOC's Publications Distribution Center at 1-800-669-3362.