



focus: gender discrimination

What the law says

Title VII of the Civil Rights Act of 1964 protects workers from discrimination based on gender.

The law makes it illegal for an employer to discriminate against individuals in hiring, firing, and other terms and conditions of employment, such as promotions, raises and other job opportunities.

The law applies to private employers, state and local governments, and educational institutions with 15 or more employees.

How to spot it

Whenever a person is treated differently because of his or her gender, the worker may have a legitimate claim of gender discrimination.

Most often, discrimination affects

hiring, firing and promotions; pay; job classification; or benefits.

For example, a woman applies for a job for which she's well qualified, but she's not hired because some customers prefer to deal with men. Or a female seeks a promotion, but she's turned down because the manager doesn't think women can handle the pressure of leadership.

What to do about it

Make sure your criteria for hiring, firing and promoting workers are gender-neutral.

Example: You promote a man instead of a woman into a higher-paying job. That's OK, but you have to be able to prove beyond a shadow of a doubt that he was more qualified for the position. Otherwise, you could find

yourself stuck in a legal quagmire.

Also be wary of job requirements that could be construed as discriminatory. Review descriptions to ensure they're based on actual job requirements. For instance, if a description says the person must be at least 6 feet tall and be able to lift 60 pounds, it could be a problem because it might prevent women from applying for the job.

Key: You can have height, weight and lifting restrictions, but you have to be able to prove the restrictions are directly linked to the task itself.

Don't forget requirements for dress too. If you mandate that women wear skirts, for instance, you also have to make sure men must wear ties or some other type of formal clothing.