

Federal Laws, State Laws and Executive Orders regarding Equal Opportunity

As a UVA hiring official, you must be aware of federal and state laws that protect applicants. You may not discriminate on the basis of age, color, disability, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, or veteran status. It can be overwhelming to try and understand all of the laws and regulations that apply to equal opportunity employment. With that in mind, the following list is a summary of the most important federal laws, state laws, and executive orders that apply to the recruitment and hiring process.

EOP recommends that all hiring officials and anyone involved in interacting with candidates review the list prior to and during the recruitment and hiring process.

Federal Laws and Executive Orders

- The Age Discrimination in Employment Act of 1967, as amended in 1974, protects applicants and employees 40 years of age or older from discrimination on the basis of age.
- The Civil Rights Act of 1964, Titles VI and VII, as amended, prohibits discrimination on the basis of race, color, religion, or national origin.
- The Equal Pay Act of 1963 prohibits discrimination in wages on the basis of gender.
- The Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended, prohibits discrimination, requires affirmative action, *and* requires reasonable accommodation by employers.
- Executive Order 11246, as amended, prohibits job discrimination and requires affirmative action in employment of women and minorities.
- The Civil Rights Act of 1991, among other things, provides monetary damages in cases of intentional employment discrimination.
- Equal Protection Clause of the 14th Amendment of the U.S. Constitution prohibits states from denying any person within its jurisdiction the equal protection of the laws. In other words, the laws of a state must treat an individual in the same manners as others in similar conditions and circumstances.
- The Higher Education Act of 1972, Title IX, as amended, prohibits employment discrimination on the basis of gender in educational programs which receive federal financial assistance.
- The Veterans Readjustment Benefits Act (amended by the Vietnam Era Veterans Readjustment Assistance Act of 1974 and the Veterans Employment Opportunities Act of 1998) prohibits job discrimination and provides affirmative action in hiring.
- Uniform Services Employment and Reemployment Rights Act of 1994, as amended, prohibits discrimination against persons because of their service in the uniformed services.
- Genetic Information Nondiscrimination Act (GINA) of 2008, prohibits discrimination on the basis of genetic information with respect to health insurance and employment.

State Law and Executive Order & Directive

- Executive Order No.6 (2010) - Equal Opportunity
(<http://www.governor.virginia.gov/Issues/ExecutiveOrders/2010/EO-6.cfm>)

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- Executive Directive No. 1 (2010)
(<http://www.governor.virginia.gov/Issues/ExecutiveDirectives>)
- The Virginia Human Rights Act declares that it is the policy of the Commonwealth to protect all individuals in the Commonwealth from unlawful discrimination based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, or disability, in places of public accommodations, including educational institutions and in employment. (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+2.2-3901>)

References and Resources

- The University of Virginia's EOP website (<http://www.virginia.edu/eop>) offers detailed information about equal opportunity laws and procedures.
- The U.S. Equal Employment Opportunity Commission website (<http://www.eeoc.gov>) lists Federal laws and regulations with detailed information.
- The U.S. Department of Labor, Office of Federal Contract Compliance Programs website (<http://www.dol.gov/dol/topic/discrimination/index.htm>) has detailed information about equal employment opportunity laws.