

EMPLOYMENT DISCRIMINATION & AFFIRMATIVE ACTION LAWS SUMMARY FOR WOMEN

Title VII of the Civil Rights Act of 1964 prohibits discrimination in hiring on the basis of sex, race, color, religion, or national origin. However, women did not begin to enter the trades until 1978, when affirmative action was expanded to include women working in construction. Two sets of federal regulations form the foundation of this affirmative action.

The first, **Executive Order 11246**, sets goals of 6.9% women workers on federally funded construction projects and requires contractors to make efforts to meet those goals. The second, **Title 29, Code of Federal Regulations, Part 30**, requires apprenticeship programs to set goals for and improve the recruitment of women and minority apprentices. The numeric goal set in Executive Order 11246 was based on 1970 census data and was intended to be an interim goal. In fact, this goal has not been revised since 1981. Additional **State and City affirmative action laws** may apply.

There has been further clarification of unlawful employment discrimination beyond hiring. The **Equal Employment Opportunity Commission Guidelines of 1990** define sexual harassment and establish employer liability for the creation of a workplace free from harassment. **The Civil Rights Act of 1991** allows women, people with disabilities, and religious minorities to collect monetary damages in cases of intentional employment discrimination.

ROLE OF THE OFCCP

The U.S. Department of Labor's Office of Federal Contract Compliance Programs administers and enforces Executive Order 11246, as amended, which prohibits federal contractors and federally assisted construction contractors and subcontractors from discriminating in employment decisions on the basis of sex as well as race, color, religion, and national origin. Executive Order 11246 also obligates Government contractors to take affirmative action steps. Additional State and local laws and ordinances may also apply and be enforced by State and local government entities.

ROLE OF THE BAT/BAS

The role of the U.S. Department of Labor's Bureau of Apprenticeship Training and the State Bureaus of Apprenticeship Standards is to promote apprenticeship and to set and monitor standards for apprenticeship training. The BAT and BAS also administer and enforce Title 29, Code of Federal Regulations, Part 30, which requires apprenticeship programs to set goals for and improve recruitment of women and minority apprentices.



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