

## Handling Discriminatory Behavior

Discrimination is an act or decision based on prejudice against an individual or group characterized by class, sexual orientation, disabilities, race, age, gender, etc. The Federal government instituted several laws that protect individuals from discrimination. Some of the laws include:

- Title VII of the Civil Rights Act of 1964 (Title VII) - prohibits employment discrimination based on race, color, religion, sex, or national origin.
- The Age Discrimination in Employment Act of 1967 (ADEA) - protects individuals who are 40 years of age or older.
- Title I and Title V of the Americans with Disabilities Act of 1990 (ADA) - prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments.

Employees who experience harassment frequently and/or in a severe manner may bring a suit under the Title VII hostile work environment. Under this clause, the supervisor who manages the individual involved has a key role in whether or not the suit goes in favor of the plaintiff. The suit can go in favor of the plaintiff if it is found that the supervisor knew or should have known about the harassment, but did not take adequate measures to stop it. In addition, it not only covers whether or not the supervisor harasses the individual, but also anyone under the supervisor's area of control.

What should a supervisor do?

- Create a work environment that does not allow discriminatory behavior in the first place.
- Model and educate employees about behavior that is appropriate and non-discriminatory.
- Have an open-door policy for all employees, so that if there is a problem the victim will feel more comfortable coming to you.
- Take immediate action when you become aware of the situation – both investigating and implementing corrective procedures.

For further reading:

- US Equal Employment Opportunity Commission ([www.eeoc.gov](http://www.eeoc.gov))
- UMHS Human Resources web site ([www.med.umich.edu/umhshr](http://www.med.umich.edu/umhshr))