

UNLAWFUL DISCRIMINATION & HARASSMENT



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Unlawful Discrimination

- Race / Color (Title VII; Section 1981; TCHRA)
- Sex (Title VII; TCHRA)
- Religion (Title VII; TCHRA)
- National Origin (Title VII; TCHRA)
- Age (40 and over) (ADEA / TCHRA)
- Disability (ADA; TCHRA)
- Genetic Information (GINA)
- Retaliation for Claiming Discrimination or Harassment



Discrimination Prohibited Without Regard To:

- Hiring
- Compensation
- Conditions & Privileges
- Firing
- Constructive Discharge



Theories of Discrimination

- Disparate Treatment
- Disparate Impact
- Reasonable Accommodation



Disparate Treatment

Intentional discrimination in the form of differential in treatment because of the applicant's / employee's protected class.



Disparate Treatment

- What most of us think of when we think of "discrimination"
- Treating someone differently because of membership in a protected class
- Intentional discrimination



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Title search: Unlawful Discrimination and Harassment

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[2019 Essential Employment Law eConference](#)

First appeared as part of the conference materials for the
2019 Essential Employment Law: A Practical Course in the Basics session
"Discrimination and Harassment"