

## CIVIL RIGHTS

### Civil Rights Laws and PTC Policies Supporting Diversity and Inclusion



It is the policy of the Pennsylvania Turnpike Commission to provide equal employment opportunity to all qualified persons regardless of race, color, religion, ancestry, union membership, age, sex, sexual orientation, marital status, national origin, political affiliation or support, AIDS or HIV status, disability, veteran status or genetic information. The following laws and PTC policies allow us to ensure that the workforce is free of discrimination and harassment and assists in supporting a diverse and inclusive workforce and in our contracting opportunities

**Equal Pay Act of 1963**, 29 U.S.C. § 206 (d), prohibits employers from discriminating on the basis of sex in the payment of wages where substantially equal work is performed under similar working conditions. *(Provided by EEOC)*

**Civil Rights Act of 1964**, 42 U.S.C. as amended § 2000 et. seq., is the major federal law prohibiting discrimination in employment. Title VII prohibits discrimination based on race, sex, color, religion, or national origin, and covers all areas of the employee-employer relationship, from advertising open positions through termination or retirement. *Enforced by EEOC. (Provided by EEOC) See also: Civil Rights Act of 1991.*

**Age Discrimination in Employment Act of 1967**, as amended, 29 U.S.C. § 621-634, protects employees and job applicants who are 40 years of age or older from employment discrimination based on age with respect to any term, condition, or privilege of employment -- including, but not limited to hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training. *(Provided by EEOC)*

**Age Discrimination in Employment Act of 1967**, as amended, 29 U.S.C. § 621-634, protects employees and job applicants who are 40 years of age or older from employment discrimination based on age with respect to any term, condition, or privilege of employment -- including but not limited to hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training *(Provided by EEOC)*

**Rehabilitation Act of 1973**, as amended, 29 U.S.C. § 791, 793, 794(a) in Sections 503 and 504, Prohibits discrimination against the disabled and requires institutions to take affirmative action

to hire and promote qualified disabled persons. Institutions are required to recruit and consider disabled persons for vacant positions, and they must make "reasonable accommodation" to the physical or mental limitations of otherwise qualified disabled employees, such as providing special equipment or modifying the job. *(Provided by EEOC)*

**The Pregnancy Discrimination Act of 1978** amended Title VII of the Civil Rights Act of 1964 to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. *(Provided by EEOC)*

**Americans with Disabilities Act of 1990**, 42 U.S.C. § 12101 et. seq., prohibits private and public employers, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. *Enforced by DOJ, Ed, and EEOC. (Provided by EEOC)*

**Civil Rights Act of 1991, PL 102-166, amends the Civil Rights Act of 1964 by providing remedies for intentional discrimination and unlawful harassment in the workplace; codifying the concepts of "business necessity" and "job related"; providing authority and guidelines for the adjudication of disparate impact suits; and responding to recent decisions of the Supreme Court by expanding the scope of relevant civil rights statutes in order to provide adequate protection to victims of discrimination. (Provided by EEOC)**

**The Genetic Information Nondiscrimination Act of 2008** prohibits the improper use of genetic information in health insurance and employment. The Act prohibits group health plans and health insurers from denying coverage to a healthy individual or charging that person higher premiums based solely on a genetic predisposition to developing a disease in the future. The legislation also bars employers from using individuals' genetic information when making hiring, firing, job placement, or promotion decisions. *(Provided by EEOC)*

***PTC Policy Letter 2.1 – Americans with Disabilities Act Amendments Act (ADAAA) prohibits discrimination against a qualified individual (applicant or employee) who can perform the essential functions of the job, with or without reasonable accommodation. The ADAAA also prohibits retaliation against an applicant or employee for asserting his/her rights under this policy. Discrimination based upon disability is prohibited by both state (The Pennsylvania Human Relations Act) and federal law (Title I of the Americans with Disabilities Act of 1990) and is prohibited by the PTC's Equal Opportunity Policy.***

***PTC Policy Letter 2.2 – Equal Employment Opportunity applies to all job applicants and all employees of the Pennsylvania Turnpike Commission (PTC), at every level. In accordance with Title VII of the Civil Rights Act of 1964, this policy affirms the policies and procedures of the PTC on the issue of equal opportunity and provides information and procedures for reporting and***

*handling complaints of violations of this policy. Consistent with this policy, the commitment of the*

*PTC is to recruit, hire, train, promote, and compensate persons in all job classifications without regard to race, color, religion, marital status, disability or handicap, national origin, age, sex, sexual orientation, political affiliation or support, or genetic information.*

***PTC Policy Letter 3.3 – Sexual Harassment and Sexual Discrimination*** provides information and guidelines relating to the Pennsylvania Turnpike Commission’s (PTC) policy against sexual harassment and discrimination and procedures for reporting and handling complaints of violations of this policy. It is the policy of the PTC to provide an environment which is free of sexual harassment and discrimination. Sexual harassment is prohibited by state (Executive Order 2002-4, Prohibition of Sexual Harassment in the Commonwealth) and federal law (Title VII of the Civil Rights Act of 1964) as well as by the PTC’s Equal Employment Opportunity Policy.

## **Filing a Discrimination/Retaliation Complaint**

The Office of Diversity and Inclusion will intake and investigate complaints under the civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability and age. Complaints must be filed within 90 calendar days of the dates of the alleged discrimination, unless the time for filing is extended and agreed upon for good cause under certain circumstances.

Complainants wishing to file a complaint may do so by email, mail or fax. In your correspondence, please include:

- The complainant's name, address and, if possible (although not required), a telephone number where the complainant may be reached during business hours.
- Information about the person(s) or class of persons injured by the alleged discriminatory act(s) (names of injured person(s) is not required).
- The name and the location in which the alleged discriminatory action occurred.
- A description of the alleged discriminatory act(s) in sufficient detail to enable the Office of Diversity and Inclusion to understand what occurred, when it occurred and the basis for the alleged discrimination (age, race, sex, national origin, etc.).