



## KNOW YOUR RIGHTS FOR UNION MEMBERS:

# Discrimination Based on Actual or Perceived Religion, Shared Ancestry, or Ethnic Characteristics

The U.S. Department of Labor has created this “know your rights” resource as a reminder for union members and all workers (including those who are, or are perceived to be, Arab, Israeli, Jewish, Middle Eastern, Muslim, Palestinian, Sikh and South Asian) regarding their right to be free from discrimination based on religion, national origin, or race in the workplace.

### For entities that receive federal financial assistance:

- Title VI of the Civil Rights Act of 1964 (Title VI) applies.
- Title VI prohibits discrimination based on **race, color, or national origin**
  - This prohibition extends to discrimination (including harassment) based on actual or perceived: **(i) shared ancestry or ethnic characteristics**, or **(ii) citizenship or residency in a country with a dominant religion or distinct religious identity**.
- Although Title VI does not expressly protect individuals from discrimination based solely on religion, certain forms of discrimination, e.g., antisemitism or Islamophobia, may be covered under the prohibition against race, color, or national origin discrimination—for instance, discrimination based on a **person’s accent or name** or the fact that they speak a **language other than English**.
- Title VI also bars **retaliation**, or intentionally taking adverse actions against individuals for exercising their rights under Title VI.

### For entities that receive federal funds under Title I of the Workforce Innovation and Opportunity Act (WIOA):

- Both Title VI (see above) and Section 188 of WIOA apply.
  - Covered entities include, for instance, state workforce agencies, one-stop operators or American Job Centers (AJC), service providers, On-the-Job Training employers, and Job Corps contractors and center operators.
- In addition to the bases covered by Title VI, Section 188 of WIOA prohibits discrimination **based on a person’s religion** in connection with WIOA Title I-funded programs and activities.
- WIOA regulations explicitly prohibit **harassment based on religion**, including, in certain circumstances, offensive remarks about a person’s religion or other unwelcome verbal or physical conduct based on religion.

- WIOA regulations require covered entities to provide reasonable **religious accommodations** (e.g., schedule changes or leave for religious observances, or exemptions from or modifications to uniform, dress, or grooming requirements) unless doing so would result in “undue hardship.”
- WIOA regulations also prohibit covered entities from **retaliating** against individuals for exercising their rights under Section 188.

## For unions; private-sector, state, or local government employers with 15 or more employees; and employment agencies:

- Title VII of the Civil Rights Act of 1964 (Title VII) applies.
- Title VII applies to unions in their capacity as **employers, bargaining representatives** for their members, or **referral agencies or hiring halls**.
- Title VII prohibits discrimination on the basis of **religion, national origin, and race**, in all aspects of **employment**, including:
  - hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, and any other term or condition of employment (e.g., in the case of a union, the union’s refusal to represent a member or refer a member for employment).
- Title VII prohibits **workplace harassment** based on individual’s actual or perceived religion, national origin, or race.
- Title VII also requires covered employers to provide reasonable **religious accommodations** unless doing so would cause an undue hardship.
- Title VII bars **retaliation** by an employer because an individual has engaged in protected activities under Title VII.

### GET HELP

### Additional Information:

#### Title VI and WIOA Section 188 enforcement: U.S. Department of Labor - Civil Rights Center

- Filing a complaint: [www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm](http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm).
- Assistance and additional resources:
  - CRC homepage: [www.dol.gov/oasam/programs/crc/](http://www.dol.gov/oasam/programs/crc/)
  - DOL Fact Sheet: <https://www.dol.gov/sites/dolgov/files/OASAM/crc/files/Title-VI-Fact-Sheet.pdf>
  - 202-693-6502 (please dial 7-1-1 to access telecommunications relay services)
  - [CRCEXternalComplaints@dol.gov](mailto:CRCEXternalComplaints@dol.gov)

#### Title VII enforcement: U.S. Equal Employment Opportunity Commission

- Filing a complaint: <https://publicportal.eeoc.gov/Portal/Login.aspx>
- Assistance and additional resources:
  - EEOC homepage: <https://www.eeoc.gov/>
  - EEOC webpage regarding coverage of unions: <https://www.eeoc.gov/coverage-labor-unions-and-joint-apprenticeship-committees>
  - 1-800-669-4000, 1-800-669-6820 (TTY for Deaf/Hard of Hearing callers only), 1-844-234-5122 (ASL Video Phone for Deaf/Hard of Hearing callers only)
  - [info@eeoc.gov](mailto:info@eeoc.gov)