

## BACKGROUND

The following is a brief history of Civil Rights statutes regarding equal employment:

**The Civil Rights Act (1866)** was one of several laws enacted to implement the newly ratified Constitutional Amendments guaranteeing all citizens equal protection under the law. Although the statutes were not applied to private incidents of discrimination for more than 100 years, in 1975 the Supreme Court ruled that the Act afforded a federal remedy for employment discrimination because of race or color.

**The Equal Pay Act (1963)** forbids pay differentials on the basis of gender. It is enforced by the Equal Employment Opportunity Commission (EEOC).

**Title VII of the Civil Rights Act (1964)** bans discrimination based on race, color, religion, sex, or national origin, and applies to all employers with 15 or more employees. This law affects employment conditions including recruitment, selection, promotion, training, and wages.

**The Age Discrimination in Employment Act (1967)** prohibits discrimination against applicants and employees aged 40 or older. It forbids discrimination in hiring, compensation, discharge, and other employment conditions.

**The Rehabilitation Act (1973)** makes it illegal to discriminate against an applicant or employee that has or is perceived to have a physical and/or mental disability.

**The Civil Rights Act (1991)** provides remedies for intentional discrimination and unlawful harassment in the workplace.

**Title I of the Americans With Disabilities Act of 1990 (ADA)** makes it unlawful to discriminate against a qualified individual with a disability. The ADA prohibits discrimination against individuals with disabilities in Federal, State, and local government services, public accommodations, transportation, telecommunications, and employment.

**29 Code of Federal Regulations, Part 1614** prescribes the development of equal employment programs, including alternative dispute resolution programs, and complaints processing procedures consistent with EEOC's regulations.

## TYPES OF DISCRIMINATION COVERED BY EEO LAWS

**Race:** An individual is treated differently than others of a different race.

**Color:** Discrimination that occurs when a person is discriminated against based on the lightness, darkness, or other color characteristic of their skin.

**National Origin:** Denial of equal employment opportunity because of an individual's or their ancestors' country of origin or because an individual has the physical, cultural, or linguistic characteristics of a particular national origin group.

**Sex:** Discrimination occurs when individuals are treated adversely because of sex (including gender identity, sexual orientation, and pregnancy).

**Religion:** Discrimination based on an individual's religious observances and practices as well as belief.

**Age:** Discrimination against individuals 40 years of age or older who are treated unfavorably in the terms and conditions of employment because of their age.

**Disability:** Discrimination on the basis of mental and/or physical disability.

**Reprisal:** Discriminatory or retaliatory acts against those who file EEO complaints, or who have participated in any stage of the administrative or judicial proceedings concerning a complaint of discrimination.

**Genetic Information Nondiscrimination Act of 2008 (GINA):** Discrimination based on genetic information.

Equal Employment Opportunity (EEO)  
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**EEO MISSION**

The Equal Employment Opportunity Office's mission is to lead, manage, and monitor the EEO programs; to develop and implement affirmative employment plans; and to manage the EEO discrimination complaint programs in effective, efficient, and responsive manners to meet or exceed our customers' expectations in accordance with applicable statutes and regulations.

**EEO PROGRAMS**

The EEO Office administers the following programs:

**Affirmative Employment Program** corrects the effects of past discrimination. It suggests specific corrective actions to overcome barriers in the areas of: recruitment, employment, and promotion of qualified women, minorities, and individuals with disabilities.

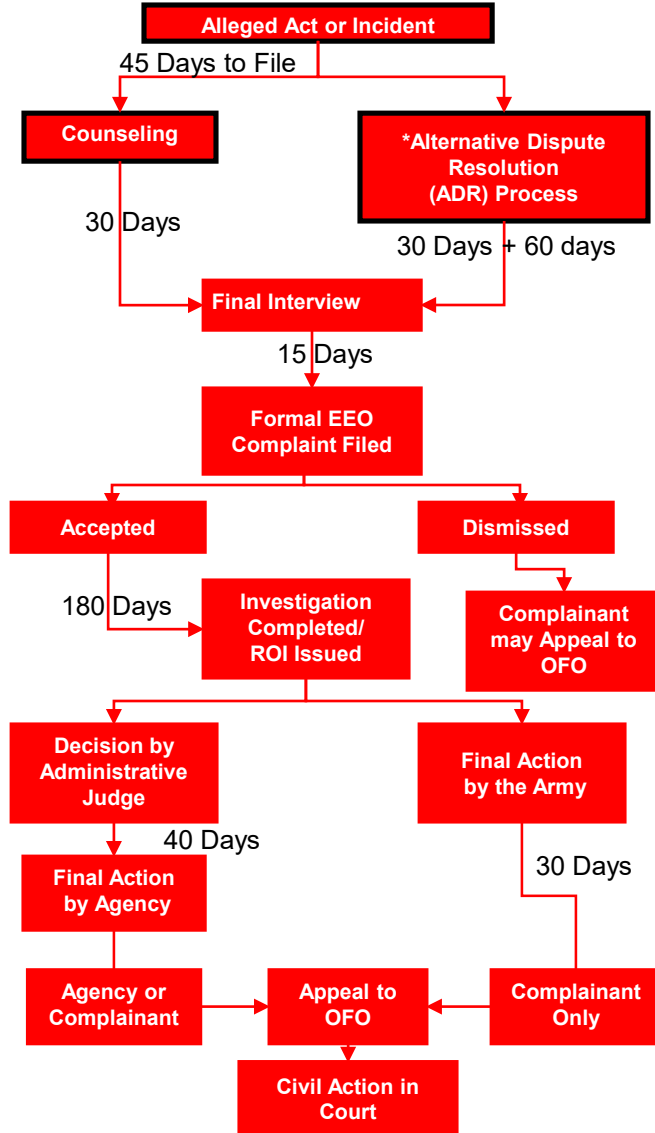
**Special Emphasis Program** exists to address "special" problems and concerns of civilian minorities, women, and individuals with disabilities. Program managers counsel employees on promotion opportunities, monitor statistical trends, and work with managers/supervisors to identify and overcome barriers to career progression. Their aim is to increase awareness of a diversified work force that closely parallels the population.

**Complaints Program** provides a mechanism to obtain redress for discrimination complaints. The EEO counselor gathers information to reach informal resolution. The EEO Office processes formal complaints, but encourages voluntary resolution via mediation throughout the entire EEO process (mediation is offered because it shortens the EEO process time and aids in restoring employee morale).

**Filing and Processing EEO Complaints**

A complaint may be filed on the basis of race, color, religion, national origin, age, mental/physical disability or reprisal. An EEO complaint must be filed within **45 calendar days** of the alleged incident of discrimination.

**EEO Complaint Processing Timeline**



**SEXUAL HARASSMENT**

Sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when such conduct is made a term or condition of one's employment; submission or rejection of such conduct is used in making employment decisions; or such conduct has the purpose of interfering with one's work performance and creating a hostile work environment.

Since 1980, the Equal Employment Opportunity Commission treats sexual harassment as a violation of the Title VII of the Civil Rights Act of 1964, as amended. The Secretary of the Army has imposed mandatory training known as the Prevention of Sexual Harassment (P.O.S.H.) for supervisors and employees.

**Contact Information**

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\*ADR can be conducted at any stage of the EEO process, prior to the EEOC hearing.