

Indiana Civil Rights Act

Under the Indiana Civil Rights Act (ICRA), it's unlawful to subject people to differential treatment based on race, religion, color, sex, disability, national origin or ancestry.

The ICRA prohibits discrimination in education, employment, access to public conveniences and accommodations, as well as real estate transactions. Employers may not discriminate against any member of the protected classes listed above in hiring, compensation or the terms, conditions or privileges of employment.

The law is Indiana's version of the federal Civil Rights Act, ADA and Age Discrimination in Employment Act all rolled into one. (The disability discrimination portion is also referred to as the Hoosiers with Disabilities Act.) Unlike federal anti-discrimination laws, the ICRA covers employers with as few as six employees.

An employee may file an ICRA complaint with the Indiana Civil Rights Commission (www.in.gov/icrc), which will attempt to mediate the dispute. Mediation is optional. If the parties choose not to participate or mediation isn't successful, the commission will investigate the claim and render a decision, which can be appealed to the Indiana Court of Appeals.

If both parties agree at any point not to mediate but go directly to court, the case can move to state court. Any state trial court decisions are appealable to the state Court of Appeals. Employees may collect lost wages, win reinstatement and collect attorneys' fees under the ICRA, but no punitive damages or damages for emotional distress are available.

Although the types of damages are limited, there's no cap on the dollar amount. Additionally, all ICRA cases are heard by a judge, not a jury.