

What is Equal Employment Opportunity (EEO)?

If your organization has 15 employees or more, you're legally required to follow equal employment opportunity laws that exist to fight workplace discrimination.



As an employer, you can't discriminate against people for having specific protected characteristics, such as:

- Age
- Race
- National origin/ethnicity
- Gender identity/sexual orientation
- Religion

- Physical or mental disability

Instead, you should only hire job applicants based on their past performance, skill set, experience, and other objective criteria. Yet, equal opportunity employment stretches beyond the hiring and firing process.

You must also avoid employment discrimination in the areas of:

- Promotions
- Raises
- Wages
- Benefits
- Training
- Harassment

Being an equal opportunity employer will keep you in legal compliance and reflect a positive image for your organization. Nobody wants to experience discrimination in the workplace or anywhere else, and being an equal opportunity employer lets everyone know that you don't tolerate it. Stay tuned to learn more about equal opportunity employment, including its history, legal requirements, and why you should become EEO compliant at your organization.

The origins of modern EEO laws

What is equal employment opportunity, and where did it come from?

To answer that question, we must go back to Title VII of the Civil Rights Act of 1964. Signed into law by President Lyndon B. Johnson, Title VII officially prohibited workplace discrimination. The Act applied to all private employers, labor unions, and federal agencies. It also created the U.S. Equal Employment Opportunity Commission, an independent government agency in charge of enforcing the Act.

While the EEOC formed in 1964, it wouldn't officially open its doors until July 2nd, 1965. At this point in time, a charge of discrimination only applied to the basis of race, religion, and gender. Age and physical/mental disabilities weren't protected under civil rights laws yet.

That began to change with the Age Discrimination in Employment Act of 1967. It stated that employment agencies could not legally discriminate against applicants based on their age. That includes not hiring older applicants and looking them over for promotions and benefits.

Years later, the federal government would amend Title VII to include the Pregnancy Discrimination Act of 1978. It stated that pregnancy was indeed a characteristic that needed protection from discrimination.

In 1990, the Americans with Disabilities Act (ADA) became an official employment law. It protects applicants

with physical and mental disabilities against discrimination. Ever since, companies cannot make employment decisions based on whether an applicant has a disability.

Lastly, the Family and Medical Leave Act (FMLA) became official in 1993. It requires employers to provide up to 12 weeks of unpaid work leave for qualifying family and medical reasons. The employee's job remains protected during this leave, including the retention of any health benefits.

Events that qualify as an eligible leave include:

- A spouse, child, or parent is called to active military duty
- Adoption, birth, or foster placement of a child
- Serious health complications for the employee or their spouse, child, or parent

FMLA exists to protect workers from losing their jobs due to medical or family-related emergencies.

That's the origin of all the federal laws that make up equal opportunity employment in today's age.

EEOC regulations

The EEOC continues to enforce anti-discrimination laws by monitoring employers to ensure they're complying with the employment laws. They have the authority to investigate any employer they suspect is actively discriminating against employees.

How do they do that?

By investigating EEO complaints that they receive. Anyone that feels an employer has discriminated against them has the right to file a complaint with the EEOC. The complaint process is straightforward; you can file one online via the [EEOC Public Portal](#).

Should the EEOC find that a complaint has merit, they will further investigate the matter and attempt to settle the charge. If that doesn't work, the Commission has a right to sue the employer in question.

There are also state-level equal employment laws put in place by local governments. In these instances, local agencies would have to investigate the complaints for state laws, which may include a broader range of cases than on the federal level.

Also, federal contractors that do over \$10,000 in business yearly must follow EEO laws.

Are you curious about the various EEOC regulations? You can find a fully updated list of all their regulations [here](#).

What are bona fide qualifications?

There are a few exceptions to the equal opportunity employment laws in the United States. These are known as 'bona fide qualifications,' and they only apply to unique situations.

For example, let's say you're casting a movie about life inside a nursing home. In this situation, it would be okay for you only to hire older actors as they more closely resemble the characters in the script. The same is true if

you're looking for minority actors or female clothing models for dresses and bikinis.

Another example would be religious organizations that only hire believers of the same faith. This only applies whenever the job in question directly applies to their religious beliefs. An example would be a Methodist church that only hires Christian pastors.

In general, it comes down to the nature of the job. Acting in a movie is a highly visual job that requires a specific look, which is why casting directors are allowed to occasionally discriminate against protected characteristics such as age and sex.

The equal opportunity employment laws will apply to all other positions that don't require a visual look or religious faith.

Benefits of being an equal opportunity employer

If you only have 14 employees or less, you aren't legally required to follow equal employment opportunity laws. Yet, there are many reasons why you still should, as there are numerous benefits to being EEO compliant.



You'll attract more candidates

If you openly discriminate against your workforce, it won't take long for the word to get out. Once it does, job applicants will steer clear of your organization in favor of workplaces that don't discriminate.

Unfair hiring practices can also affect your existing workforce. Even if the employee is perfectly in line with what you're looking for, they may not trust you due to your history of discrimination. That can lead to employees leaving your organization to find one they trust more instead.

The lesson?

It always pays off to stay fair and objective with your workforce.

Improves employee engagement

If you discriminate against your employees, they won't feel comfortable speaking their minds. If your workplace

is diverse and open to all opinions, your employees will engage more and share their ideas. That's a great thing, as it can lead to new innovations and perspectives that you didn't have before.

This openness among employees promotes respect for one another and often leads to friendly company culture.

Better customer satisfaction

A culture of nondiscrimination leads to happier, less stressed employees. As a result, it's easier for them to complete their tasks, leading to higher productivity.

As long as you focus on your employees' well-being, they'll take care of your customers in turn. That can help you reach milestones quicker and improve customer retention.

Final takeaways: what is Equal Employment Opportunity?

The fight against workplace discrimination stretches back to 1964, and it's an ongoing battle.

Equal employment opportunity laws in the United States prevent employers from discriminating against race, sex, age, religion, ethnicity, and any disabilities.

The laws apply to hiring, firing, raises, promotions, and more.

Beyond the moral implications, there are plenty of benefits to being an equal opportunity employer. It's a great way to build trust amongst your employees, as well as attract as many new applicants as possible.