

**These guides and the information contained within do not constitute or are intended as legal advice. Please consult a licensed private attorney for specific help with your case.**

## **A GUIDE TO DISCRIMINATION AT WORK**

- Quang works in an office and is responsible for maintaining good operation of all the teams in the office. Although he does his job very well, every time the boss meets with him, the boss says, “I always have to watch you people.” Quang has noticed that his supervisor is hostile toward the other two Vietnamese workers in the office. He would like to be able to carry out his work in peace and to be recognized for his good job.
- Graciela works in a restaurant. She is an indigenous woman from southern Mexico. Her boss is a mestizo Mexican, as are the other workers in the restaurant. He always gives the worst jobs to Graciela and on occasion insults her with words like “lousy Indian from the hills that doesn’t know anything.” But, she is a hard worker and is making a huge effort to please her supervisor.
- Arturo works in construction. His boss treats him badly. He yells and always gives him the worst jobs. Arturo, his boss, and the majority of those who work in the company are Mexican, but seemingly the boss only treats Arturo badly.

### **Protection for Quang and Graciela**

There are federal laws that offer protection to Quang, Graciela, and other workers who face discrimination in the workplace. Discrimination is defined as an act of treating certain people better or worse than others because of specific illegal reasons. In Oregon, it is against the law to discriminate against a person on the job because of their:

- Age
- Sex
- Race
- Civil state
- Nationality
- Condition of citizenship
- Physical disabilities
- Sexual orientation or gender identity
- Being pregnant
- Because they want to join a union

Quang and Graciela might be able to show that their poor treatment was due to race or national origin discrimination.

Arturo’s case, however, is different. Without a doubt, Arturo’s supervisor treated him badly. This is abuse (and other laws may be able to protect Arturo). But, it is not discrimination under the labor laws in the United States. Remember that under the law of the United States, the term “discrimination” refers only to poor treatment or abuse of a person for reasons specifically mentioned above. In order to prove discrimination under the law, you must be able to provide evidence that the abuse is due to one of these reasons, and just because the boss doesn’t like you, as it is the case with Arturo.