

Guide for Afforded Protections

The **Equal Employment Opportunity Commission (EEOC)** protects against the following discriminations: Race, color, religion, gender, national origin, sex, disability, genetic information, pregnancy, age, sexual orientation, gender identity and retaliation. It is necessary to have an employee size of fifteen (15) or more, and the protected Class/Group is all workers, including undocumented aliens. Employees are prohibited from the following acts in employment: Hiring, firing, recruitment/referral for a fee, or for any discriminatory actions based on terms and conditions of employment.

The available relief afforded can include back pay, front pay, reinstatement, compensatory/punitive damages, injunctive relief and/or attorney's fees. There are specific deadlines to file. A claimant has one hundred and eighty (180) days from the date of the alleged violation, and up to three hundred (300) days in Louisiana if a claim has been filed with and is being investigated by the Louisiana Commission of Human Rights. Louisiana is a deferral state. All of the laws enforced by EEOC, except for the Equal Pay Act, require a claimant to file a Charge of Discrimination with the EEOC before the claimant can file a job discrimination lawsuit against his/her employer.

To file a charge, a claimant can call the EEOC's toll-free number: 1-800-664-9400, or 1-800-669-6820 (TTY); or a claimant may also write the EEOC office at: The Hale Boggs Federal Building, 500 Poydras Street, Room 809, New Orleans, Louisiana, 70130. For further information, please also see: <https://www.eeoc.gov/>.

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The **Louisiana Commission of Human Rights (LCHR)** protects against the following discriminations: race, color, religion, gender, national origin, sex, disability, genetic information, pregnancy, age, sickle cell, possible pay discrimination, and retaliation (Anti-Discriminatory Laws Enforced By LCHR- Employment, Public Accommodation, Banking and Lending).

Employment provisions of Louisiana state laws apply to employers of twenty (20) or more employees (and in the case of pregnancy and related medical conditions, more than twenty-five (25)). The protected Class/Groups is all workers, including undocumented aliens, public accommodation discrimination for race, creed, color, religion, sex, age, disability or national origin, and banking/lending discrimination based on same. Employees are prohibited from the following acts in employment: Hiring, firing, recruitment/referral for a fee, or for any discriminatory actions based on terms and conditions of employment.

The available relief afforded can include back pay, front pay, reinstatement, compensatory (capped)/punitive damages, injunctive relief and attorney's fees. In order to avail themselves of these protections, the last alleged act must have occurred within the past one hundred and eighty (180) days, and the employee must be a part of a protected class and similarly situated to file a complaint with LCHR. The LCHR is a Fair Employment Practices Agency (FEPA) in conjunction with the EEOC; the LCHR assists and manages charges of discrimination and the protections of the employment rights.

When a determination is established, a copy of the determination will be submitted to the claimant and to the respondent. In cases of employment discrimination, LCHR will send a copy of the determination to the EEOC. If LCHR finds “no violation of statute” and subsequent review by the EEOC, a "right to sue" will be issued. To file a charge, a claimant call contact the LCHR at (225) 342-6969 or for further information: www.lchrgov.com/lchr.

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The **Office of Special Counsel (OSC)** affords relief for discrimination based on immigration status, national origin citizenship status, document abuse and also retaliation in hiring, firing, and recruitment or referral for a fee, as well as unfair documentary practices terms and conditions of employment during the employment eligibility verification process and retaliation under the anti-discrimination provision of the Immigration and Nationality Act (INA). It is necessary, for national origin, to have four (4) to fourteen (14) employees, for citizenship status and document abuse; four (4) or more employees, there is no limit of employees for national origin and document abuse for all work, and further no limit for citizenship status, to include United States citizens, some legal permanent residents, asylees, or refugees.

The available relief afforded can include hiring, firing, recruitment/referral for a fee, back pay, front pay, reinstatement, civil penalties, injunctive relief and potential attorney’s fees in limited circumstances. There are specific deadlines to file. A claimant has one hundred and eighty (180) days from the date of the alleged violation, and up to three hundred (300) days in deferral states.

To file a charge, a claimant can call the OSC Employer hotline: 1-800-255-8155 or OSC Employee Hotline: 1-800-255-7688, or fax a completed charge form to (202) 616-5509, or e-mailed to IER@usdoj.gov . A charge forms can be downloaded from <https://www.justice.gov/crt/how-file-complaint> .

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The **Louisiana Attorney General**, in housing related claims, protects against the following discriminations: race, color, national origin, religion, sex, familial status (families with children under the age of 18, or who are expecting a child), or disability.

This protection is afforded to anyone who was refused or denied housing or was subject to harassment, coercion, intimidation, or interference with exercising, or assisting someone else with exercising, their housing rights. Prohibitions include: To refuse, advertise or post, provide, tell , show, deny or harass, coerce, intimidate, or interfere with anyone exercising, or assisting someone else with exercising, their housing rights.

The available relief afforded can include an award of actual and punitive damages, attorney fees, and costs. In order to avail themselves, the claimant has one (1) year after an alleged violation to file a complaint with the Louisiana Attorney General, who acts as a neutral third-party when investigating claims of housing discrimination. (Fair Employment Practices Agency (FEPA) with the United States Department of Housing and Urban Development (HUD)).The Attorney General may file a lawsuit on the claimant’s behalf in district court; there is no cost to the claimant. The district court can order relief, and

award actual and punitive damages, attorney fees, and costs. A claimant may file suit, at his/her expense, in federal district court or state court within two (2) years of an alleged violation.

To file a charge, a claimant can contact the Louisiana Department of Justice, Equal Housing Opportunity Section, at: 225-326-6400, or 800-273-5718, or via mail at: Post Office Box 94005, Baton Rouge, Louisiana 70804-9005, or visit: <https://www.ag.state.la.us/FairHousing> .

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Louisiana Employment Discrimination Law (LEDL) protects against employment discrimination for: age, disability, veterans, race, color, religion, sex, or national origin, pregnancy, childbirth, sickle cell trait, or genetic information. Employment provisions of state laws apply to employers of twenty (20) or more employees (and in the case of pregnancy and related medical conditions, more than twenty-five (25)).

The available relief afforded can include compensatory damages, back pay, benefits, reinstatement, or if appropriate, front pay, reasonable attorney fees, and court costs.

In order to avail themselves of these protections, a claimant has one (1) year to file in state court. However, this one-year period shall be suspended during the pendency of any administrative review or investigation of the claim conducted by the federal EEOC or the LCHR. No suspension authorized pursuant to law of this one-year prescriptive period shall last longer than six months. For further information, please contact the LCHR or visit: <http://www.legis.la.gov/legis/home.aspx> , see also Louisiana Revised Statutes 23:301, et al.