

WHAT TO DO IF YOU THINK YOU ARE BEING DISCRIMINATED AGAINST AT WORK

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-Provided as general information only and should not be substituted for personal legal advice-

Federal, state, and local laws prohibit employers from discriminating against employees on the basis of certain protected categories - race, religion, sex, gender, national origin, age, and disability. These statutes also prohibit employers from retaliating against employees who complain about discrimination. If an employee believes he/she is being treated differently at work, being subjected to a hostile work environment based on one of the protected categories, or was hired, fired, or not promoted because of discrimination, it's important to contact a lawyer who can help you assess your situation and formulate a personal plan of action.

There are many options available to help victims of workplace discrimination. Many employers have anti-discrimination policies in place. Those policies usually provide an internal complaint procedure which victims can utilize. If there is no policy in place, complaints can usually be made to a supervisor or the human resource department.

In addition to internal remedies, victims can seek help outside of the workplace, too. State and the Federal government have administrative agencies specifically designed to help victims of workplace discrimination. On the Federal level, the Equal Employment Opportunity Commission (EEOC) investigates allegations of workplace discrimination. Individuals can access the EEOC themselves, or a lawyer can help. In New York, the New York State Division of Human Rights (NYSDHR), investigates workplace discrimination. If the NYSDHR determines that "probable cause" exists to believe that discrimination took place, the case can proceed to a public hearing where an administrative law judge will hear evidence and decide whether discrimination took place.

Victims of discrimination may also sue in State or Federal Court. There are advantages and disadvantages to each of these procedures. Victims should consult an attorney to determine which avenue will help best vindicate their rights. The lawyers at Famighetti & Weinick can help. Call us at (631) 352-0050.