



Nevada Equal Rights Commission

Fosters and protects the rights of all people of the State reasonably to seek, obtain and hold employment and housing, and seek and be granted services in places of public accommodation, without discrimination, distinction or restriction, as prohibited by state and federal discrimination laws.



Nevada Equal Rights Commission

Sexual Harassment



- ❑ Oversees Nevada's equal rights/equal opportunity program in employment, public accommodations, and housing
- ❑ Investigates and resolves complaints of discrimination
- ❑ Provides information and education to businesses and community groups
- ❑ Partners with the EEOC on most employment cases.

Federal Employment Discrimination Laws



- Title VII of the Civil Rights Act of 1964
 - Created the EEOC
- Age Discrimination in Employment Act of 1967 (ADEA)
- Americans with Disabilities Act of 1990 (ADA) and Amendments Act of 2008 (ADAAA)
- Genetic Information Nondiscrimination Act of 2008 (GINA)
- Equal Pay Act

State Employment Discrimination Laws



- **NRS 613** (Employment)
- **NRS 233** (Public Policy)

Protected Categories

- Race
- Color
- Hair Texture
- National Origin
- Religion
- **Sex**
 - Pregnancy
 - **Sexual Harassment**
- Disability
- Age
- Genetic Information
- Sexual Orientation
- Gender Identity or Expression
- Retaliation
- Criminal Background (public employers)



Retaliation



State and federal employment discrimination laws prohibit retaliation against an individual because he or she has:

- 1) opposed an unlawful employment practice;
- 2) participated in a discrimination case, either as a complainant or as a witness in an investigation, proceeding, or hearing;
- 3) has a reasonable & “good faith” belief that the employer’s conduct was illegal – even if it turns out that the employee was mistaken.

Jurisdiction for Employment Charges



- 15 or more employees
- Last date of harm within 300 days of filing
- Business located/licensed in Nevada
- Employer/Employee relationship exists
- Employment Agencies & Labor Organizations (Unions)

Sexual Harassment



- “**Unwelcome** sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.”

Sexual Harassment



■ Two Forms of Sexual Harassment

□ Quid Pro Quo

- A favor or advantage granted or expected in return for something

□ Hostile Work Environment

- Manager, supervisor, coworker, customer, vendor, third party

Employees' Duties



- Not engage in harassing conduct
- Object to harassing conduct
- Report harassment using the employers' reporting mechanism

Employers' Obligations



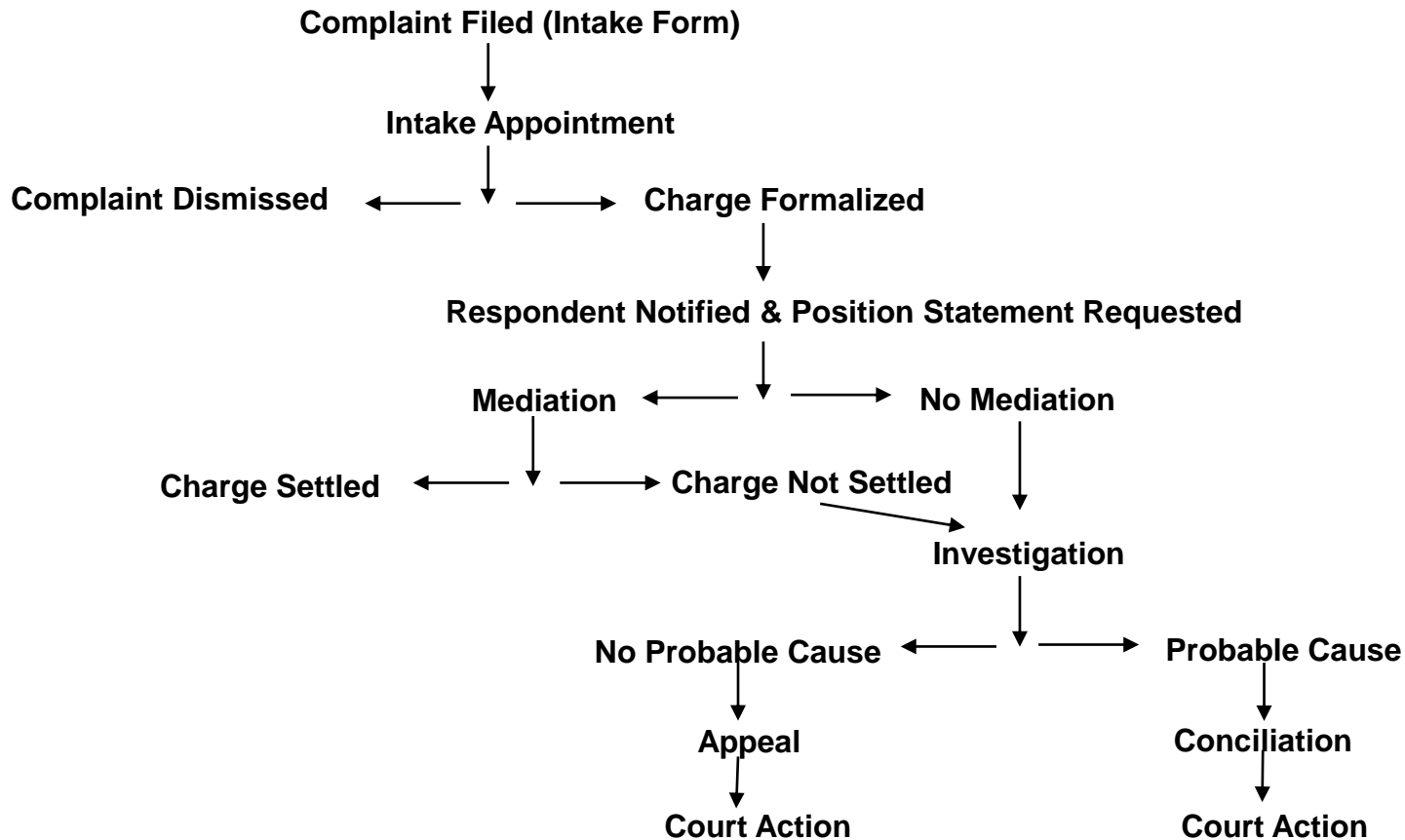
- Conduct prompt & thorough investigations
- Take appropriate remedial actions
- Document everything & don't destroy evidence
- Engage in the interactive process for disability accommodations

Changing Culture



- Embrace policies that support inclusion and protect employees
- Publish policies
- Be mindful of power dynamics

NERC Complaint Processing



Contacting NERC

WWW.DETR.NV.GOV

OR Engine search “Nevada Equal Rights Commission”

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