



# Facts About Sex Discrimination

Nevada state law and Title VII of the Civil Rights Act of 1964 protect individuals against employment discrimination on the basis of sex. Discrimination against an individual because of sexual orientation or gender identity, including transgender status, is discrimination because of sex in violation of Title VII.

Nevada state law protects individuals from employment discrimination on the basis of sexual orientation, which is defined as having an orientation to heterosexuality, homosexuality, or bisexuality. Nevada state law also protects individuals from employment discrimination on the basis of gender identity or expression. Gender identity is a person's internal sense of being male or female. Gender expression includes the external personal characteristics an individual exhibits regarding being male or female, such as appearance, clothing, hair, mannerisms and behaviors. Both state and federal law apply to employers with 15 or more employees, including state and local governments, employment agencies, labor organizations, and the federal government.

It is unlawful to discriminate against any employee or applicant for employment because of his/her sex, sexual orientation or gender identity or expression, in regard to hiring, termination, promotion, compensation, job training, or any other term, condition, or privilege of employment.

The law also prohibits employment decisions based on gender stereotypes and assumptions about abilities, traits, or the performance of individuals on the basis of sex. State and federal law prohibit both intentional discrimination and neutral job policies that disproportionately exclude individuals on the basis of sex and that are not job related.

The prohibitions against sex-based discrimination also cover:

- **Sexual Harassment**

This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same-sex harassment. The victim as well as the harasser may be a woman or a man, and the victim does not have to be the opposite sex of the harasser. The harasser can be a supervisor, a co-worker, or a non-employee such as a customer, contractor, or delivery person.

- **Pregnancy/Maternity**

State and federal law prohibit discrimination on the basis of pregnancy, childbirth and related medical conditions. Nevada State Law requires employers to accommodate female employees and applicants, upon request, for a condition related to pregnancy, childbirth, or a related medical condition, unless an accommodation would impose an undue hardship on the business of

the employer. Employers may require a female employee to submit written medical certification from the employee's physician substantiating the need for an accommodation and the specific accommodation recommended by the physician.

- **Equal Pay**

The federal Equal Pay Act of 1963 requires that men and women be given equal pay for equal work in the same establishment. Equal pay complaints are handled by the Federal EEOC as the state does not have jurisdiction in these cases.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex, sexual orientation or gender identity or expression, or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under state or federal law.

## **If You Think You Have Been Discriminated Against Because Of Sex, Sexual Orientation, or Gender Identity or Expression, Contact The Nevada Equal Rights Commission**

Nevada Equal Rights Commission  
7220 Bermuda Road, Suite 100  
Las Vegas, NV 89119  
PH: (702) 486-7161  
Fax: (702) 486-7054

Nevada Equal Rights Commission  
1325 Corporate Blvd., Room 15  
Reno, NV 89502  
PH: (775) 823-6690  
Fax: (775) 688-1292

Or visit us on the Internet  
[www.detr.nv.gov/NERC](http://www.detr.nv.gov/NERC)

A complaint must be filed within 300 days of the date of the alleged discriminatory conduct.

You may also contact the federal Equal Employment Opportunity Commission (EEOC)  
at 1-800-669-4000 or on the Internet at [www.eeoc.gov](http://www.eeoc.gov)

An equal opportunity employer/program  
Auxiliary aids and services available upon  
request for individuals with disabilities  
TTY (775) 687-5353  
Relay 711 or (800) 326-6868