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Avoiding Illegal Discrimination

There are many good reasons for employers to create a positive workplace environment where employees feel valued and safe. Numerous federal and state laws protect certain categories of job candidates and employees from discrimination in hiring and employment practices. Protected categories include: race, color, religion, ancestry, sex, sexual orientation, gender identity, age, national origin, place of birth, marital status, disability, veteran's status, HIV status, pregnancy, genetic information, health insurance status, and crime victim status. Be aware that sexual harassment is considered a form of illegal discrimination based on sex.

Numerous laws also prohibit retaliation, which occurs when employers treat an applicant or employee less favorably, or take an adverse employment action, based on the person's participation in a legally protected activity. Examples of protected activities include: taking leave under the Family and Medical Leave Act (FMLA), making a sexual harassment complaint, complaining about a safety hazard, and serving as a witness in an internal investigation. Retaliation is illegal and has become the most common discrimination charge handled by the Equal Employment Opportunity Commission (EEOC), exceeding the number based on sex, race, disability, or religion.

VLCT PACIF strongly recommends that employees and supervisors receive training to promote a positive and respectful workplace, one of many risk management topics eligible for a [John Lawe Scholarship](#) [1]. Further information and resources on avoiding unlawful discrimination may be found at the links below. In particular, the state of Vermont has created an excellent and comprehensive web page called [Vermont Workplaces for All](#) [2], which provides multiple resources to help employers create and maintain a positive, non-discriminatory workplace culture.

Links:

[Vermont Workplaces for All](#) [3]

[Equal Employment Opportunity Commission \(EEOC\) Employer page](#) [4]

[EEO-4 Municipal Employer Reporting](#) [5]

[Civil Rights Unit, Vermont Attorney General](#) [6]

[Americans with Disabilities Act \(ADA\) EEOC Disability Discrimination page](#) [7]

[Job Accommodation Network \(JAN\)](#) [8]

[Office of Disability Employment Policy \(ODEP\)](#) [9]

[Vermont Assistive Technology Program](#) [10]

Resource Category:

- Toolkit
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Links

- [1] <https://www.vlct.org/node/442>
- [2] <https://workplacesforall.vermont.gov/>
- [3] <https://workplacesforall.vermont.gov>
- [4] <https://www.eeoc.gov>
- [5] <https://www.eeoc.gov/employers/reporting.cfm>
- [6] <https://ago.vermont.gov/employment-law>
- [7] <https://www.eeoc.gov/laws/types/disability.cfm>
- [8] <https://askjan.org>
- [9] <https://www.dol.gov/odep/>
- [10] <https://atp.vermont.gov/>