



Fact Sheet

“Right to Know” Campaign Focusing on Minneapolis and St. Paul, Minnesota

MEDIA RELATIONS CONTACT

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ABOUT THE CAMPAIGN

The Lawyers’ Committee for Civil Rights Under Law is launching the “Right to Know” campaign in Minneapolis and St. Paul to raise awareness in the Hmong community of employment discrimination.

The main objectives, directed at the Hmong community, are:

1) Know Your Rights

It is illegal for employers to discriminate on the bases of race, color, religion, national origin, sex (including sexual harassment and pregnancy), age (40+), and disability.

2) Document Discrimination and Harassment

Employees should keep records of instances of harassment/discrimination, noting details such as who was involved, when the incident occurred, what specifically happened, whether the incident is recurring or related to other incidents, emotional distress, and any other relevant information. Any physical evidence, including letters, e-mails, or phone messages, should be saved.

3) Report Discrimination

Victims of discrimination should talk to friends and family for support and for witnesses, but should also report discrimination to a person of authority within the workplace, such as a supervisor, boss, or HR. They should file a discrimination complaint with the EEOC. Employees should note the timeline: most states (including Minnesota) allow people to file 300 days from the most recent act of discrimination, but some states have a window of 180 days.

BASIC EMPLOYEE RIGHTS

- Federal law prohibits discrimination because of race, color, religion, national origin, sex, age (40 years and over), physical or mental disability, genetic information, and retaliation for activities protected by the civil rights statutes.
- Employees have a right to a working environment free from harassment or discrimination, and to request reasonable accommodations for protected categories.
- Employers have the responsibility to prohibit, prevent, and punish discrimination. They should adapt anti-discrimination policies and procedures, of which all employees should be well-informed through copies of the policies and trainings. If an employer receives a discrimination complaint, it is imperative that they quickly investigate the situation and take appropriate action to end any discrimination or harassment.
- It is illegal to treat people differently in employment decisions (including hiring, discharge, promotion, demotion, discipline, training, leave, benefits and pay) because of national origin or ancestry. An employer cannot refuse to consider or hire an applicant based on his or her association with a particular national origin. This also prohibits

discrimination based on different languages or accents as long as the employee can communicate sufficiently to fulfill his or her job duties.

- Harassment based on national origin, race, skin color, and religion takes many forms in the workplace. References to where someone is from, along with their ancestry, ethnicity, accent, religion, appearance, and clothing, all can qualify as harassment. These references include name-calling, offensive jokes, physical assault, graffiti, threats, taunts, posters, emails and verbal comments. It is also illegal for employers or coworkers to force employees to speak only English at all times. Employers can require English to be spoken when it is necessary for business operations.
- The law protects employees who file discrimination complaints, regardless of whether or not discrimination is found to have occurred. Employers and coworkers are prohibited from any forms of retaliation for reporting job discrimination.

ABOUT DISCRIMINATION LAW/RESOURCES IN MINNESOTA

- It is illegal under the Minnesota Human Rights Act for an employer to discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, sexual orientation (including by definition, gender identity), status with regard to public assistance, disability or age. Notably, it is also illegal under Minnesota law to discriminate against workers under 40 on the basis of age (more inclusive than federal law).
- Employees in Minnesota can file discrimination claims with both the state administrative agency, the Minnesota Department of Human Rights (MDHR), and the federal administrative agency, the Equal Employment Opportunity Commission (EEOC). These agencies will collaborate to process claims under their work-sharing agreement. It's only necessary to file with one of the agencies, as long as employees verify that they want to "cross-file" with the other agency.
- The Equal Employment Opportunity Commission (EEOC), a federal agency, will only take complaints from employees whose employers have at least 15 employees altogether and who file within 300 days of the date of discrimination. Employees whose workplace has only 1-14 employees should file with the MDHR and must file within 1 year of the date the employee believes he or she was discriminated against.
- City or county ordinances are also available and employees filing discrimination complaints should check anti-discrimination law in their regions.

To file a claim with the **MDHR**, contact its office below. More information about filing a claim with MDHR can be found at <http://www.humanrights.state.mn.us>.

Minnesota Department of Human Rights (MDHR)

Sibley Square at Mears Park
190 E. 5th Street, Suite 700
St. Paul, MN 55101

Phone: (651) 296-5663 * Toll free: (800) 657-3704 * TTY: (651) 296-1283

To file a claim with the **EEOC**, contact your local EEOC office below. More information about filing a claim with the EEOC can be found at <http://www.eeoc.gov/facts/howtofil.html>.

Equal Employment Opportunity Commission (EEOC) — Minneapolis Area Office

330 South Second Avenue
Suite 430

Minneapolis, MN 55401-2224

Phone: (612) 335-4040 * TTY: (612) 335-4045

About the Lawyers' Committee

The Lawyers' Committee for Civil Rights Under Law, a nonpartisan, nonprofit organization, was formed in 1963 at the request of President John F. Kennedy to involve the private bar in providing legal services to address racial discrimination. The principal mission of the Lawyers' Committee is to secure, through the rule of law, equal justice under law, particularly in the areas of fair housing and fair lending, community development, employment discrimination, voting, education and environmental justice. For more information, visit www.lawyerscommittee.org.