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National Origin Discrimination

The law firm of Josh F. Bowers, P.C. has extensive experience representing Federal employees in national origin discrimination cases. Whether an employee or job applicant's ancestry is from any country in the world or any other nationality, he or she is entitled to the same employment opportunities as anyone else. Federal law prohibits national origin discrimination in employment under Title VII of the Civil Rights Act of 1964.

About National Origin Discrimination

National origin discrimination means treating someone less favorably because he or she comes from a particular place, because of his or her ethnicity or accent, or because it is believed that he or she has a particular ethnic background. National origin discrimination also means treating someone less favorably at work because of marriage or other association with someone of a particular nationality. Examples of violations covered under Title VII include:

Employment Decisions

Title VII prohibits any employment decision, including recruitment, hiring, and firing or layoffs, based on national origin.

Harassment

Title VII prohibits offensive conduct, such as ethnic slurs, that creates a hostile work environment based on national origin. Employers are required to take appropriate steps to prevent and correct unlawful harassment.

Language

- Accent discrimination
An employer may not base a decision on an employee's foreign accent unless the accent materially interferes with job performance.

- English fluency
A fluency requirement is only permissible if required for the effective performance of the position for which it is imposed.
- English-only rules
English-only rules must be adopted for nondiscriminatory reasons. An English-only rule may be used if it is needed to promote the safe or efficient operation of the employer's business.

Disclaimer

The legal information in this article is intended as a general overview of this issue and is subject to change; it is not meant to serve as legal advice in any particular situation. The law is in a constant state of change as Congress amends statutes; Federal Agencies issue and amend regulations, and the courts issue decisions interpreting the laws and regulations. We recommend you consult a licensed lawyer who is knowledgeable about the area of law in question before you take action to address a legal matter.