

# KNOW YOUR RIGHTS: RACE, ETHNICITY, OR NATIONAL ORIGIN-BASED DISCRIMINATION

Learn more here about your right to be free from discrimination based on race, ethnicity, or national origin, and how the law protects you.



## What does discrimination on the basis of race, ethnicity, or national origin look like?

### Overview

It is illegal discrimination if a person or a company intentionally treats you differently based on your race, ethnicity, or national origin. For example, a landlord violates the law if you apply to rent an apartment and are told that the landlord doesn't rent to Black people. Likewise, it is illegal for an employer to refuse to hire a person of color because of that person's race, ethnicity, or national origin.

Some forms of illegal discrimination may be subtler. For example, an employer or housing or credit provider may adopt policies that cause unjustified and disproportionate harm to people of a particular race, ethnicity, or national origin. For example, refusing to hire anyone with any sort of criminal record disproportionately hurts Black and Latinx job applicants, who are more likely than whites to have criminal records in the current criminal justice system. Many kinds of convictions, including old convictions, will have nothing to do with an applicant's ability to do the job. A blanket policy excluding people with criminal records would amount to illegal "disparate impact" discrimination. Additionally, depending on the reasons why this particular policy was adopted, the facts could show that the policy was driven by a desire to exclude people of color with criminal records, in which case the policy would constitute illegal intentional racial discrimination as well.

**Your rights**

- Federal anti-discrimination laws prohibit discrimination in housing, credit, employment, and “public accommodations” like restaurants, movie theaters, parks, and trains.
- You cannot be denied a home, a job, or service at a business that is open to the public because of your race, ethnicity, or national origin, and you cannot be charged a different price because of your race, ethnicity, or national origin.
- The Constitution prevents the government from subjecting you to worse treatment because of your race, ethnicity, or national origin in.
- State and local laws may also provide protection against discrimination on the basis of race, ethnicity, or national origin.

**What to do if you believe your rights have been violated**

- Gather all the documents that might support your claim — emails, text messages, application forms, for example — and locate the people who witnessed the discriminatory conduct.
- Write down a timeline of events and all the facts that lead you to believe you were discriminated against.
- You can show that you’ve been subject to intentional discrimination by pointing to people of a different race, ethnicity, or national origin who received better treatment, or by pointing to actions by the landlord or employer that don’t make sense in the absence of discrimination.
- Figure out which government agency can take your complaint. This can be somewhat confusing because there are federal, state, and local agencies that may be able to help, and the process varies depending upon where you live. Start with the websites for the federal agencies: for housing, the U.S. Department of Housing and Urban Development; for jobs, the Equal Employment Opportunity Commission; and for consumer credit, the Consumer Financial Protection Bureau.
- Your city or town may also have its own civil or human rights agency that can help.
- These agencies will ask you to file a description of your complaint with any supporting documents and conduct an investigation at no cost to you. Be aware that the time period for filing a complaint may be short. The process may result in monetary damages for you as well as the opportunity to be considered for the job or housing at

issue, and it could require the employer or housing provider to change its policies going forward.

- You may also consider filing a lawsuit in state or federal court.

### **Could I face retaliation for filing a complaint**

- Take note of any action that your current landlord or employer takes against you after learning of your complaint or lawsuit. That conduct could violate your First Amendment right to be free from retaliation for complaining about discrimination.
- If this happens, you can make a separate complaint with the appropriate agency for retaliation or amend your lawsuit to include a retaliation claim.

## **Race, ethnicity, or national origin-based discrimination at work**

### **Your rights**

- You cannot be denied a job, promotion, or a raise based on your race, ethnicity, or national origin.
- Examples of illegal discrimination under the federal Equal Employment Opportunity Act include any decision by an employer to refuse to hire or to impose conditions based upon race, ethnicity, or national origin. This also includes taking actions such as setting requirements for hiring which are not actually required to do the work and which exclude people based on race, ethnicity, national origin, or any other protected categories.
- The Constitution also prevents the government from subjecting you to worse treatment because of your race, ethnicity, or national origin in any situation.

### **What to do if you believe your rights have been violated**

- Gather all the documents that might support your claim — emails, text messages, application forms, for example — and locate the people who witnessed the discriminatory conduct.
- Write down a timeline of events and all the facts that lead you to believe you were discriminated against.
- You can show that you've been subject to intentional discrimination by pointing to people of a different race, ethnicity, or national origin who received better treatment, or by pointing to actions by the

**Georgia**

- employer, company, or prospective employer that just don't make sense in the absence of discrimination.
- Submit a complaint to the Equal Employment Opportunity Commission.
- Your city or town may also have its own civil or human rights agency that can help.
- Government agencies will ask you to file a description of your complaint with any supporting documents and conduct an investigation at no cost to you. The process may result in monetary damages for you as well as the opportunity to be considered for the job at issue, and it could require the employer to change its policies going forward.
- You may also consider filing a lawsuit in state or federal court.

**Could I face retaliation for filing a complaint?**

- Take note of any action that your current employer takes against you after learning of your complaint or lawsuit. That conduct could violate your First Amendment right to be free from retaliation for complaining about discrimination.
- If this happens, you can make a separate complaint with the appropriate agency for retaliation or amend your lawsuit to include a retaliation claim.

**Race, ethnicity, or national origin-based discrimination in housing****Examples of discrimination on the basis of race, ethnicity, or national origin in housing**

- If you apply to rent an apartment or purchase a house and are told that the landlord or owner doesn't rent or sell to Black people.
- A housing or credit provider has a policy that causes unjustified and disproportionate harm to people of a particular race, ethnicity, or national origin. For example, you are denied a mortgage loan because of your race or an agency refuses to provide loans or insurance coverage because a property is located in a particular area or refuses to provide loans or insurance coverage on equal terms.

**Your rights**

- The federal Fair Housing Act prohibits discrimination in housing and lending. The federal Equal Credit Opportunity Act also provides protections from discrimination in lending. Both statutes explicitly prohibit discrimination on the basis of race, color, or national origin.
- State and local civil/human rights laws typically prohibit discrimination in housing and housing related services.

**What to do if you believe your rights have been violated**

- Gather all the documents that might support your claim — emails, text messages, application forms, for example — and locate the people who witnessed the discriminatory conduct.
- Write down a timeline of events and all the facts that lead you to believe you were discriminated against.
- You can show that you've been subject to intentional discrimination by pointing to people of a different race who received better treatment, or by pointing to actions by the landlord that don't make sense in the absence of discrimination.
- Submit a complaint to the U.S. Department of Housing and Urban Development, and/or the Consumer Financial Protection Bureau.
- Your city or town may also have its own civil or human rights agency that can help.
- Government agencies will ask you to file a description of your complaint with any supporting documents and conduct an investigation at no cost to you. The process may result in monetary damages for you as well as the opportunity to be considered for the job or housing at issue, and it could require the employer or housing provider to change its policies going forward.
- You may also consider filing a lawsuit in state or federal court.

**Could I face retaliation for filing a complaint?**

- Take note of any action that your current employer takes against you after learning of your complaint or lawsuit. That conduct could violate your First Amendment right to be free from retaliation for complaining about discrimination.
- If this happens, you can make a separate complaint with the appropriate agency for retaliation or amend your lawsuit to include a retaliation claim.

## **Race, ethnicity, or national origin-based discrimination at schools and colleges**

### **Examples of discrimination in schools or on campus**

- Segregation of classes or school-sponsored activities on the basis of students' race, ethnicity, or national origin.
- Denial of language services to English learners.
- Disciplining students of one race, ethnicity, or national origin, but not others.
- Providing different resources to students based on their race, ethnicity, or national origin.
- Harassment or profiling based on race, ethnicity, or national origin by faculty, fellow students, or school staff.
- Targeting of students of a particular race, ethnicity, or national origin for searches or arrest.

### **Your rights**

- Under Title VI of the Civil Rights Act, discrimination based on race, color, or national origin in programs or activities receiving federal financial assistance is prohibited. This includes schools and colleges that receive funding from the U.S. Department of Education. (Note: some private schools do not received any federal funding, so Title VI protections do not apply to them.)
- Your educational institution must respond to instances of discrimination or harassment on the basis of race, ethnicity, or national origin that deny or limit your ability to take part in and benefit from your school's educational programs and activities.

### **What to do if you believe your rights have been violated**

- Gather all the documents that might support your claim — emails, text messages, application forms, for example — and locate the people who witnessed the discriminatory conduct.
- Write down a timeline of events and all the facts that lead you to believe you were discriminated against.
- You can show that you've been subject to intentional discrimination by pointing to people of a different race who received better treatment, or by pointing to actions by the landlord that don't make sense in the absence of discrimination.
- Submit a complaint to the U.S. Department of Housing and Urban Development, and/or the Consumer Financial Protection Bureau.

## Georgia

- Your city or town may also have its own civil or human rights agency that can help.
- Government agencies will ask you to file a description of your complaint with any supporting documents and conduct an investigation at no cost to you. The process may result in monetary damages for you as well as the opportunity to be considered for the job or housing at issue, and it could require the employer or housing provider to change its policies going forward.
- You may also consider filing a lawsuit in state or federal court.

## Additional Resources

- [Living While Black on Campus: A Roadmap for Student Activism](#)
- [Department of Education, Office of Civil Rights](#)
- [Department of Justice, Civil Rights Division, Educational Opportunities Section](#)
- [The Education Law Center](#)
- [Dignity in Schools](#)
- [Lawyers Committee for Civil Rights](#)
- State civil/human rights agencies as well as state Departments of Education have additional information and may be able to take complaints of discrimination.
- [Department of Housing and Urban Development](#)
- [NAACP Legal Defense Fund](#)
- [Mexican American Legal Defense Fund](#)
- [National Fair Housing Alliance](#)
- [Muslim Ban Fact Sheet](#)