



KNOW YOUR RIGHTS:

Employment

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Introduction

Whether you are looking for a job or currently employed, you have rights that protect you from unfair treatment and ensure fair working conditions. Federal and state laws establish these rights. Knowing them is important, especially as individuals of Arab descent may sometimes face specific challenges like discrimination based on national origin or religion, or issues related to religious accommodation. This guide outlines some of your key rights in the workplace.

Your Your Rights

1. Freedom from Discrimination & Harassment

- **Non-Discrimination:** Title VII of the Civil Rights Act of 1964 is a federal law that prohibits employers with 15 or more employees from discriminating against you based on your race, color, religion, sex, or national origin. This applies to all aspects of employment, including hiring, firing, pay, promotions, job assignments, and training.
- **National Origin & Religious Discrimination:** This means you cannot be treated unfairly because you are Arab, Muslim, Christian, or from a particular country in the Middle East or North Africa, or because of stereotypes associated with these identities. Discrimination can also occur based on your accent or association with people of a certain national origin or religion.
- **Harassment/Hostile Work Environment:** You have the right to work in an environment free from harassment based on your protected characteristics. Harassment becomes illegal when it is so severe or pervasive that it creates a hostile work environment (e.g., offensive slurs or jokes, intimidation, threats related to your national origin or religion). Your employer has a responsibility to prevent and stop harassment if they know or should have known about it.

2. Religious Accommodation

- **Right to Accommodation:** Your employer must provide a "reasonable accommodation" for your sincerely held religious beliefs or practices, unless doing so would cause an "undue hardship" for the business (a significant difficulty or

expense).

- **Examples:** This can include allowing flexible scheduling for prayer times, permitting religious dress (like a hijab) or grooming practices, or granting time off for religious holidays.
- **Requesting Accommodation:** You generally need to inform your employer that you need an accommodation for religious reasons.

3. Hiring & Form I-9 (Employment Eligibility Verification)

- **Work Authorization:** All employers must verify that new hires are authorized to work in the U.S. using the Form I-9. This applies to everyone, regardless of citizenship or national origin.
- **Document Choice:** You have the right to choose which valid, unexpired documents you present from the official Form I-9 Lists of Acceptable Documents (List A, or List B and C). Your employer cannot demand specific documents (e.g., "Show me your Green Card") or refuse to accept documents that reasonably appear genuine and relate to you. Demanding specific documents or rejecting valid ones can be illegal "document abuse."
- **Anti-Discrimination:** It is illegal for employers (with 4 or more employees) to discriminate against work-authorized individuals based on their national origin or citizenship status during the hiring, firing, or I-9 process.

4. Wages & Working Conditions

- **Minimum Wage & Overtime:** The Fair Labor Standards Act (FLSA) requires most employers to pay at least the federal minimum wage and overtime pay (1.5 times the regular rate) for hours worked over 40 in a workweek. Some employees are exempt based on job duties and salary. State and local laws may provide higher minimum wages or additional protections.
- **Safe Workplace:** You have the right to a safe working environment under the Occupational Safety and Health Act (OSHA).

5. Retaliation Protections

- **No Retaliation:** It is illegal for your employer to fire, demote, harass, or otherwise "retaliate" against you for opposing discrimination or harassment (e.g., complaining to HR), filing a charge of discrimination (e.g., with the EEOC), participating in an investigation, or requesting a reasonable accommodation.

6. What To Do If Your Rights Are Violated

- **Document Everything:** Keep detailed records of any incidents of potential discrimination, harassment, or retaliation. Note dates, times, locations, what was said or done, who was involved, and any witnesses. Keep copies of relevant emails, memos, performance reviews, or pay stubs.
- **Review Employer Policies:** Check your employee handbook or company policies for procedures on reporting discrimination or harassment.
- **Report Internally:** You may choose to report the issue to your supervisor or Human Resources department, following company policy. However, you are not always required to report internally before taking external action.
- **File a Charge:** You can file a charge of discrimination with the U.S. Equal Employment Opportunity Commission (EEOC) or your state/local fair employment agency. There are strict deadlines for filing (often 180 or 300 days from the discriminatory act), so act promptly.
- **Consult a Lawyer:** Consider speaking with an employment lawyer to understand your options.

7. Special Considerations

- **Security Clearances:** If your job requires a government security clearance, the application and investigation process is extensive. Issues related to foreign contacts, travel history, associations, or national origin may be scrutinized under specific government regulations. If you face issues with a security clearance, it's advisable to seek legal counsel specialized in that area.

Protect yourself, your students, and your community. Share this to spread awareness!
Contact us at our 27/7 hotline at 844.ADC.9955 (844.232.9955).



Disclaimer: *This information is for educational purposes only and does not constitute legal advice. Employment laws are complex and can vary by state and locality. Deadlines apply for taking legal action. For advice on your specific situation, please consult with an employment lawyer or contact the EEOC or your state/local fair employment agency.*