






Discrimination: Your Rights

Massachusetts Commission Against Discrimination

2013

For More Information:

-  Visit the MCAD at 1 Ashburton Place, Boston; 800 Purchase St., Room 501, New Bedford; 436 Dwight Street, Springfield; or 455 Main Street, Room 100, Worcester
-  Call us at 617-994-6000, 508-990-2390, 413-739-2145 or 508-799-8010
-  Visit our web site at www.mass.gov/mcad

I. Introduction

The MCAD

- Investigates and mediates discrimination complaints in employment, housing, public places and other areas
- Complaints must be filed within 300 days of alleged discriminatory incident
- Over 3,000 cases each year
- Rights not affected by immigration status

Forms of Discrimination

- **Disparate Treatment:** treating someone differently because of their membership in a group
- **Harassment:** derogatory comments based on group membership
- **Accommodation:** denial of a modification that assists someone with a particular disability or religion to do their job
- **Disparate Impact:** a policy or rule that affects members of one group differently

II. Employment Discrimination

Employers cannot take actions based on:

- Age
- Criminal records (applications only)
- Disability
- Gender, including pregnancy
- Gender identity
- Genetics
- Military personnel
- National origin or ancestry
- Race or color
- Religion
- Retaliation
- Sexual orientation

Employers can not discriminate in:

- Who is hired
- Who is promoted
- Pay, time off, or other benefits
- Who is disciplined
- Who gets positive evaluations
- Who is fired or laid off

Two Kinds of Sexual Harassment

- *Quid Pro Quo:* If you do this for me, I'll do that for you
- *Hostile Environment:* Unwanted sexual jokes, pictures, comments, gestures, touching, or invitations for dates

Other Forms of Discriminatory Harassment

- Unwanted jokes, pictures, comments, or gestures that refer to your age, disability, gender, genetics, national origin, ancestry, race, color, religion, sexual orientation, or military status
- Also applies to retaliation

Rights of People with Disabilities

- People with disabilities may request reasonable accommodations that allow them to perform their jobs
- Examples include special equipment, changes in duties or hours
- Employer can deny the request if it causes a serious hardship

III. Housing and Lending Discrimination

Actions may not be based on:

- Age
- Children (lead paint)
- Disability
- Gender
- Genetics
- Marital status
- National origin or ancestry
- Public assistance
- Race or color
- Religion
- Retaliation
- Sexual orientation
- Veteran status

Who Is Protected

- Applicants for public housing, rental apartments, or commercial space
- Tenants in apartments, public housing, or commercial space
- Potential home or commercial space buyers
- People with disabilities: reasonable accommodations required in public housing or private housing with 10 or more units

Mortgage and other lenders may not discriminate in interest rates and other terms of loans. It is unlawful for a mortgage lender to charge one person a higher rate than others based on his or her membership in a particular group, such as race, color, religion, national origin, ancestry, gender, age, disability, sexual orientation, children, or retaliation.

IV. Discrimination in Public Places

Customer or client service at public places such as stores, restaurants, businesses, hospitals, or government agencies cannot be based on:

- Disability
- Gender
- National origin
- Race or color
- Religion
- Sexual orientation

Businesses, government agencies and others:

- Cannot treat some customers or clients better than others because of a group they are a member of
- Cannot harass customers or clients