

## NOTE

There are longer filing periods for complaints filed with either the U.S. Equal Employment Opportunity Commission (300 days) or with the Florida Commission on Human Relations (365 days).

For information, assistance, or to file a complaint, contact:

### **Palm Beach County Office of Equal Opportunity**

Governmental Center  
301 North Olive Avenue  
10th Floor  
West Palm Beach, FL 33401

TEL: (561) 355-4883

FAX: (561) 355-4932

TDD: (561) 355-1517

[www.pbcgov.com/equalopportunity](http://www.pbcgov.com/equalopportunity)



### **Palm Beach County Board of County Commissioners**



### **Palm Beach County Office of Equal Opportunity**

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**Pamela Guerrier**  
*Director*

In accordance with the provisions of the ADA, this brochure can be made available in an alternate format. Please call (561) 355-4883.

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**P**alm Beach County's Equal Employment (Ordinance 95-31) and Title VII of the Civil Rights Act of 1964 protect individuals against employment discrimination on the basis of national origin, as well as race, color, religion, sex, age and disability.

It is unlawful to discriminate against any employee or applicant because of the individual's national origin. No one can be denied equal employment opportunity because of birthplace, ancestry, culture or linguistic characteristics common to a specific ethnic group. Equal Employment opportunity cannot be denied because of marriage or association with persons of a national origin group; membership or association with specific ethnic promotion groups; attendance or participation in schools, churches, temples or mosques generally associated with a national origin group; or a surname associated with a national origin group.



### **Speak-English-Only Rules**

A rule requiring employees to speak only English at all times on the job may violate Ordinance 95-31 and Title VII, unless an employer shows it is necessary for conducting business. If an employer believes the "English-only" rule is critical for business purposes, employees have to be told when they must speak English and the consequences for violating the rule. Any negative employment decision based on breaking the "English-only" rule will be considered evidence of discrimination if the employer did not tell employees of the rule.

### **Accent**

An employer must show a legitimate nondiscriminatory reason for the denial of employment opportunity because of an individual's accent or manner of speaking. Investigations will focus on the qualifications of the person and whether his or her accent or manner of speaking had a detrimental effect on job performance. Requiring employees or applicants to be fluent in English may violate Ordinance 95-31 and Title VII if the rule is adopted to exclude individuals of a particular national origin and is not related to job performance.

### **Harassment**

Harassment on the basis of national origin is a violation of Ordinance 95-31 and Title VII. An ethnic slur or other verbal or physical conduct because of an individual's nationality constitute harassment if they create and intimidating hostile or offensive working environment, unreasonably interference or negatively affect an individual's employment opportunities. Employers have a responsibility to maintain a workplace free of national origin harassment. Employers may be responsible for any on-the-job harassment by their agents and Bsupervisory employees, regardless of whether the acts were authorized or specifically forbidden by the employer. Under certain circumstances, an employer may be responsible for the acts of non-employees who harass their employees at work.

### **Immigration-Related Practices Which May Be Discriminatory**

The Immigration Reform and Control Act of 1986 (IRCA) requires employers to prove all employees hired after November 6, 1986, are legally authorized to work in the United States. IRCA also prohibits discrimination based on national origin or citizenship. An employer who singles out individuals of a particular national origin, or individuals who appear to be foreign to provide employment verification may have violated the IRCA, Title VII and Palm Beach County Ordinance 95-3. Employers who impose citizenship requirements or give preference to U.S. citizens in hiring or employment opportunities may have violated IRCA, unless these are legal or contractual requirements for particular jobs. Employers also may have violated Title VII and Ordinance 95-31 if a requirement or preference has the purpose or effect of discriminating against individuals of a particular national origin.

### **Filing a Complaint**

Victims of national origin discrimination may be entitled to lost wages, back pay, reinstatement, compensatory damages, punitive damages, and other forms of compensatory and relief. If you believe that you have been discriminated against under Palm Beach County's Equal Employment Opportunity Ordinance or Title VII of the Civil Rights Act of 1964, as amended, you should call, write, or visit the Office of Equal Opportunity at the address shown in this brochure. Under Palm Beach County's Equal Employment Opportunity Ordinance, complaints must be sworn, in writing, and received by the Office of Equal Opportunity within 180 days of the date of the most recent alleged discrimination.

