



## **PREVENTION CORNER**

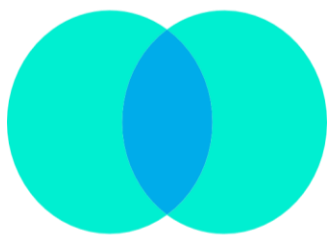
### **Workplace Discrimination: When Race, National Origin, and Religious Discrimination Overlap**

Individuals may experience multiple forms of discrimination in the workplace when their identities overlap or intersect, such as with race, national origin, religion, and other Title VII protected bases.

The SC Human Affairs Law makes it unlawful employment practice for an employer to discriminate against a person based on protected characteristics to include race, color, national origin, religion, sex (pregnancy, gender identity, or sexual orientation), age (40 and above), or disability.

State and federal laws protect employees or applicants against employment discrimination when it involves:

- Unfair treatment or harassment because of a protected characteristic.
- Denial of a reasonable workplace accommodation that is needed because of religious beliefs or disability.
- Retaliation because the employee or applicant have complained about job discrimination or assisted with a job discrimination investigation or lawsuit.



#### **Multiple Protected Bases**

According to the U.S. EEOC, national origin discrimination may overlap with race and religious discrimination such as when a national origin group is associated or perceived to be associated with a particular religion or race.

**Example:** An employee who is Egyptian, alleges that he was harassed by his coworkers about his ethnicity. He has also been subjected to derogatory comments about his religion. The employee charge should assert national origin, race, and religious discrimination.

#### **Intersectional Discrimination**

Title VII of the Civil Rights Act of 1964 prohibits intersectional discrimination which occurs when someone is discriminated against because of the combination of two or more protected bases or characteristics (example- national origin and race). Also, Title VII prohibits employment discrimination because of any protected bases, whether it's an individual basis or a combination of bases.

Source: <https://www.eeoc.gov/laws/guidance/eeoc-enforcement-guidance-national-origin-discrimination>; [Know your Rights Workplace Rights](#); <https://schac.sc.gov/employment-discrimination>

# U.S. Equal Employment Opportunity Commission

## News & Notes



**Press Release**  
06-09-2021

## **JBS Swift to Pay up to \$5.5 Million to Settle EEOC Race and Religious Discrimination Claim at Greeley Plant**

***International Meat Processing Giant Agrees to Settle Claims That It Discriminated Against Employees Based on Race, National Origin, and Religion.***

**DENVER** – JBS USA LLC, doing business as JBS Swift & Company, will pay up to \$5.5 million and provide other relief to end a lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC) charging race, national origin, and religious discrimination at the company's beef processing plant in Greeley, Colo., the EEOC announced today.

- **The EEOC's lawsuit, filed in 2010, charged that JBS discriminated against employees because they were Muslim, immigrants from Somalia, and Black.**
- **According to the EEOC, JBS denied religious accommodations to Muslim employees at its Greeley plant. Specifically, the EEOC asserted that JBS denied Muslim employees the ability to pray as required by their religion, and that Muslim employees were harassed when they tried to pray during scheduled breaks or even on bathroom breaks.**
- **The EEOC further charged that during the Muslim holy month of Ramadan in 2008, JBS shut off water fountains at the facility or tagged them to stop employees from using them, which prevented Muslim employees from getting a drink of water after fasting all day and from washing before prayers.**
- **JBS also denied Somali Muslim employees bathroom breaks and disciplined them more harshly than other employees, according to the EEOC's allegations.**

The alleged discrimination violates Title VII of the Civil Rights Act of 1964, the federal law that prohibits workplace discrimination, including on the basis of race, national origin, or religion.

**Read the entire article at:** [JBS Swift to Pay up to \\$5.5 Million to Settle EEOC Race and Religious Discrimination Claim at Greeley Plant | U.S. Equal Employment Opportunity Commission](https://www.eeoc.gov/newsroom/jbs-swift-pay-55-million-settle-eeoc-race-and-religious-discrimination-claim-greeley-plant)

Source: <https://www.eeoc.gov/newsroom/jbs-swift-pay-55-million-settle-eeoc-race-and-religious-discrimination-claim-greeley-plant>

# 60<sup>th</sup> Anniversary of Title VII of the Civil Rights Act of 1964

July 2, 2024 was the 60<sup>th</sup> anniversary of the historic civil rights law, Title VII of the Civil Rights Act of 1964. The Civil Rights Act prohibits employment discrimination on the bases of race, color, sex, national origin, and religion, and also prohibits discrimination in public places, as well as provide for the integration of schools.

For more information visit: <https://www.eeoc.gov/history/60th-anniversary-title-vii-civil-rights-act-1964>

## CIVIL RIGHTS ACT @60

### Title VII of the Civil Rights Act of 1964: Requiring Discrimination-Free Workplaces for 60 Years

Title VII of the Civil Rights Act of 1964 outlaws discrimination against a job seeker or employee on the basis of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity) or national origin.

The U.S. Equal Employment Opportunity Commission (EEOC) was created by the Act and opened its doors in 1965 to prevent and remedy unlawful employment discrimination and advance equal employment opportunity for all. The Act, strengthened over time by amendments, also paved the way and provided a model for other civil rights laws. Over the next 60 years, Congress authorized the EEOC to enforce 9 key federal laws to protect working people from discrimination on the job.

Since 1964 the EEOC has

- Received over **2.75 MILLION** Title VII charges of discrimination. \*estimated
- Brought over **10,000\*** Title VII lawsuits for American workers. \*estimated

When Title VII was enacted, airlines subjected female flight attendants to requirements around weight, pregnancy, marriage, and other issues. After one of its very first investigations, the EEOC found that an airline's policy of firing only female flight attendants once they married was sex discrimination in violation of Title VII. Through this and other efforts, Title VII led to changes in that industry and others allowing women to be judged on their abilities, opening doors of opportunity.

In 2023, EEOC resolved a Title VII race harassment and retaliation lawsuit it brought against the construction firm The Whiting-Turner Contracting Company for **\$1.2 million** and obtained important changes to employment practices. The EEOC found that Whiting-Turner subjected Black employees to a racially hostile work environment, including use of racial epithets, offensive graffiti, and display of a noose.

The EEOC, understanding that other federal agencies also have a role addressing harassment, discrimination, and retaliation in the construction industry, has begun a comprehensive effort to partner with these agencies to address those problems, and in 2024 issued a resource on promising practices for preventing harassment in the construction industry.

**REPORT**

**78.1%**  
Women aged 25-54 labor force participation rate, May 2024, highest on record

Source: [60th Anniversary of Title VII of the Civil Rights Act of 1964 | U.S. Equal Employment Opportunity Commission](https://www.eeoc.gov/history/60th-anniversary-title-vii-civil-rights-act-1964)

**\*\*Please Note: This newsletter is not intended to be used as legal advice.**

**How can I schedule training?**

(803) 737-7800 or (800) 521-0725, Relay 711

email: [training@schac.sc.gov](mailto:training@schac.sc.gov)



**If you feel like you have experienced discrimination,  
contact us for help.**

**(800) 521-0725, Relay 711 or 803-737-7800**

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<https://schac.sc.gov/>



**The mission of the South Carolina Human Affairs Commission is to Prevent and Eliminate Unlawful Discrimination in Employment, Housing, and Public Accommodations.**

The South Carolina Human Affairs Commission strives to alleviate problems of discrimination through the enforcement of the SC Human Affairs Law (*including the SC Pregnancy Accommodations Act and the SC Lactation Support Act.*), the SC Fair Housing Law, and the SC Equal Enjoyment and Privileges to Public Accommodations Law.