

FEDERAL

TITLE	DESCRIPTION	JURISDICTION	REGULATORY OVERSIGHT
<p>Age Discrimination in Employment Act, 29 USC §§621-634</p> <p>“ADEA”</p>	<p>Law protects people who are 40 or older from discrimination based on age. Also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation of lawsuit.</p>	<p>Private employers with 20+ employees, federal government and its agencies, interstate agencies, employment agencies, and labor unions.</p>	<p>The U.S. Equal Employment Opportunity Commission (EEOC) enforces the ADEA</p> <p>www.eeoc.gov</p>
<p>Americans with Disabilities Act, 42 USC §§12101-12213</p> <p>“ADA”</p>	<p>Prohibits discrimination against a qualified person with a disability in the private sector and in state and local governments. Does not apply to the federal government and its agencies or state governments and their agencies. Also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.</p>	<p>Private employers with 15+ employees, local governments and its agencies, employment agencies, and labor unions</p>	<p>The U.S. Equal Employment Opportunity Commission (EEOC) enforces the ADA</p> <p>www.eeoc.gov</p>
<p>Equal Pay Act, 29 USC §206(d)</p> <p>“EPA”</p>	<p>Prohibits payment of unequal wages based on sex, if they perform equal work in the same workplace. Also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.</p>	<p>No minimum number of employees, the federal government and its agencies, the state governments and their agencies, public entities, and labor unions.</p>	<p>The U.S. Equal Employment Opportunity Commission (EEOC) enforces the EPA</p> <p>www.eeoc.gov</p>

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<p>Genetic Information Nondiscrimination Act, 42 USC §§2000ff to 2000ff-11</p> <p>“GINA”</p>	<p>Prohibits discrimination against employees or applicants because of genetic information. Genetic Information includes information about an individual’s genetic tests and the genetic tests of an individual’s family members (i.e. medical history). Also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination or participated in an employment discrimination investigation or lawsuit.</p>	<p>Private employers with 15+ employees, federal government, state governments, private and public employment agencies, labor organizations and joint labor-management committees.</p>	<p>The U.S. Equal Employment Opportunity Commission (EEOC) enforces the GINA</p> <p>www.eeoc.gov</p>
<p>Immigration Reform and Control Act, 8 USC §1324b</p> <p>“IRCA”</p>	<p>Prohibits discrimination on the basis of immigrant status or citizenship. Also prohibits an employer from requesting employment verification only from people of a certain national origin or only from people who appear to be from a foreign country.</p>	<p>All employers with 4+ employees.</p>	<p>The U.S. Department of Justice (DOJ) of Special Counsel enforces the IRCA.</p> <p>www.eeoc.gov</p>
<p>Title VII, Civil Rights Act, 42 USC §§2000e to 2000e-17</p> <p>“TITLE VII”</p>	<p>Prohibits discrimination on the basis of race, color, religion, national origin, or sex. Also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.</p>	<p>Private employers with 15+ employees, state governments and their political subdivisions and agencies, the federal government, employment agencies, labor organizations and joint labor-management committees and other training programs.</p>	<p>The U.S. Equal Employment Opportunity Commission (EEOC) enforces TITLE VII</p> <p>www.eeoc.gov</p>

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<p>Uniformed Services Employment and Reemployment Rights Act, 38 USC §§4301-4335</p> <p>“USERRA”</p>	<p>Prohibits discrimination on the basis of service in National Guard or military duty. Certain persons who serve in the armed forces have a right to reemployment with the employer they were with when they entered service.</p>	<p>All employers must comply with the USERRA regardless of the number of employees.</p>	<p>The U.S. Department of Labor (DOL) through Veterans’ Employment and Training Service (VETS) enforces the USERRA.</p> <p>www.dol.gov</p>
<p>42 USC §1981</p> <p>“§1981”</p>	<p>Prohibits discrimination on the basis of race. All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contract, to sue, be parties, give evidence and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind and to no other.</p>	<p>All private employers, state and local governments</p>	<p>NONE. Statute authorizes private lawsuits.</p>
<p>42 USC §1985</p> <p>“§1985”</p>	<p>Prohibits any conspiracy to interfere with civil rights.</p>	<p>All private employers, state and local governments</p>	<p>NONE. Statute authorizes private lawsuits.</p>
<p>Fair Labor Standards Act, 29 USC §§201-219</p> <p>“FLSA”</p>	<p>Protects payment of minimum wage, overtime, child labor and equal pay provisions.</p>	<p>Employers who engage in interstate commerce, produce goods for interstate commerce, handle, sell or work on goods or materials that have been moved in or produced for interstate commerce and domestic service workers.</p>	<p>The U.S. Department of Labor (DOL) Wage and Hour Division enforces the FLSA.</p> <p>www.dol.gov</p>

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<p>National Labor Relations Act, 29 USC §§151-169</p> <p>“NLRA”</p>	<p>Protects the rights of employees to form or join a union, bargain collectively for a contract that sets wages, benefits, hours and other working conditions, discuss wages, working conditions or union organizing with co-workers or a union, act with co-workers to improve working conditions by raising complaints with an employer or a government agency, strike and picket their employer, depending on the purpose or means of action, choose not to join a union or engage in union activities.</p>	<p>Employers in most private-sector workplaces, including manufacturing plants, retail centers, private universities and health care facilities.</p>	<p>The National Labor Relations Board (NLRB) enforces the NLRA.</p> <p>www.nlrb.gov</p> <p>*Federal Labor Relations Authority protects the collective bargaining rights of federal employees, while the National Mediation Board does the same for railway and airline employees.</p>
<p>Occupational Safety and Health Act, 29 USC §651</p> <p>“OSH Act”</p>	<p>Established minimum health and safety standards for the workplace to ensure safe and healthful working conditions. Requires employers to provide employees with working conditions free of known dangers.</p>	<p>No numerosity requirement. Employers in Pennsylvania are governed by the OSH Act. Some states have their own plans.</p>	<p>Occupations Safety and Health Administration (“OSHA”)</p> <p>www.osha.gov</p>
<p>Employee Retirement Income Security Act, 29 USC §1001 et seq.</p> <p>“ERISA”</p>	<p>Governs the administrative aspects of employee benefit and retirement plans.</p>	<p>No numerosity requirement. Employers who sponsor qualified employee benefit or retirement plans.</p>	<p>U.S. Department of Labor</p> <p>www.us.dol.gov</p> <p>Internal Revenue Service (“IRS”)</p> <p>www.irs.gov</p> <p>Pension Benefit Guaranty Corporation (“PBGC”)</p> <p>www.pbgc.gov</p>

STATE

TITLE	DESCRIPTION	JURISDICTION	REGULATORY OVERSIGHT
<p>The Pennsylvania Equal Pay Law, 43 P.S. §§336.1-336.10</p> <p>“EPL”</p>	<p>Prohibits discrimination by an employer in any place of employment between employees on the basis of sex, by passing wages to any employee at a rate less than the rate paid to employees of opposite sex for work under equal conditions on jobs that require equal skill</p>	<p>All employers.</p>	<p>The Secretary of Labor and Industry enforces the EPL.</p> <p>www.dli.state.pa.us</p>
<p>The Pennsylvania Human Relations Act, 43 P.S. §951</p> <p>“PHRA”</p>	<p>Prohibits discrimination in employment, housing, real estate and public accommodations against the federally protected classes and on the basis of age or marital status. Also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination or participated in an employment discrimination investigation or lawsuit.</p>	<p>Private employers with 4+ employees, state and local government, labor organizations and employment agencies.</p>	<p>The Pennsylvania Human Relations Commission (PHRC) enforces the PHRA.</p> <p>www.phrc.state.pa.us</p>
<p>Pennsylvania Labor Relations Act, 43 P.S. §211.1</p> <p>“PLRA”</p>	<p>Protects the rights of employees to organize and bargain collectively, created the Pennsylvania Labor Relations Board (PLRB) to administer and enforce Commonwealth laws dealing with private-sector collective bargaining and disputes.</p>	<p>Employers that do not fall under the NLRA (which, according to the PLRB, is mostly small businesses).</p>	<p>The Pennsylvania Labor Relations Board (PLRB) enforces the PLRA.</p> <p>www.dli.state.pa.us</p>
<p>Pennsylvania Minimum Wage Act, 42 P.S. §333.101</p> <p>“PMWA”</p>	<p>Establishes minimum wage rates to be paid to non-exempt employees. Also governs overtime and classification of “exempt” vs. “non-exempt” employees.</p>	<p>All Pennsylvania employers</p>	<p>The Pennsylvania Department of Labor & Industry enforces the PMWA.</p> <p>www.dli.state.pa.us</p>

<p>Pennsylvania Workers' Compensation Act, 77 P.S. §1 et seq.</p> <p>“WCA”</p>	<p>Provides for a nearly exclusive system of compensation and medical care for employees injured at work regardless of fault.</p>	<p>All Pennsylvania employers, unless exempt.</p>	<p>The Pennsylvania Department of Labor & Industry and Bureau of Worker's Compensation enforce the WCA.</p> <p>www.dli.pa.gov</p>
<p>Crime Victim Employment Protection Act, 18 Pa.C.S. §4957</p>	<p>Prohibits adverse action against employees because the employee attends court by reason of being victim or witness to a crime or is member of crime victim's family.</p>	<p>All Pennsylvania employers</p>	<p>Private civil action authorized.</p>
<p>Employee Failure to Report to Work During State of Emergency Law, 43 P.S. §1482</p>	<p>Prohibits employer from taking adverse action vs. employee who, during declared state of emergency, refuses to come to work due to road closures in employee's home county or county where employer is located. Law has large list of exceptions for “essential” positions.</p>	<p>All Pennsylvania employers</p>	<p>Authorizes private civil actions.</p>
<p>Pennsylvania Jury Duty Leave Law, 42 Pa.C.S. §4563(a)</p>	<p>Prohibits employers from retaliating against employees summoned for jury duty. No duty on employer to compensate employee during jury service.</p>	<p>All Pennsylvania employers, except:</p> <ul style="list-style-type: none"> • Retail/Service employer with less than 15 employees • Manufacturing employer with less than 40 employees • <u>But see, <i>Sheeran v. Kubert, Himmelstein & Assoc., P.C.</i>, 69 Pa. D&C 4th 303, 309 (Phila CCP 2003)</u> 	<p>Private civil action.</p>

Emergency Responders, 35 Pa.C.S. §7423	Prohibits retaliation against emergency responder who responds to call prior to shift and misses time.	All Pennsylvania employers.	Private civil action.
PA Military Affairs Act, 51 Pa.C.S. §7309	Prohibits retaliation against employees because of membership in National Guard, or any reserve component of U.S. Armed Forces.	All Pennsylvania employers	Private civil action.

LOCAL

TITLE	DESCRIPTION	JURISDICTION	REGULATORY OVERSIGHT
<p>The City of Reading Human Relations Ordinance Act, Ordinance 6-2002, 3/13/2002</p>	<p>Prohibits discrimination within the city limits because of race, color, religion, ancestry, sexual orientation and gender identity or expression, national origin, age, sex, familial status, handicap or previous filing of a complaint of discrimination in employment, housing and places of business, public accommodation, resort, recreation or amusement.</p>	<p>Employers of at least five (5) persons, excluding parents, spouse or children, including the City, its department, boards, commissions and authorities, and any other governmental agency within its jurisdiction.</p>	<p>The 8 member Human Relations Commission enforces the Human Relations Ordinance.</p> <p>www.readingpa.gov/human_relations_commission.asp</p>