

Philadelphia's Recently-Amended Fair Employment Practices Ordinance Is a Good Reminder to Employers: Be Aware of Local Ordinances

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Does your Company make a practice of checking for local ordinances that prohibit discrimination in employment? It should! Employers may be most familiar with the primary state and federal anti-discrimination laws, such as the Title VII of the Civil Rights Act of 1964, the new Genetic Information and Nondiscrimination Act and the Pennsylvania Human Relations Act. The state and federal statutes prohibit discrimination and harassment on the basis of race, color, religion/creed, national origin, sex, age, disability and genetic information. Employers must be careful, however, to ensure that they are aware of local ordinances that provide additional prohibitions on discrimination – including ordinances like Philadelphia's Fair Practices Ordinance, which prohibits discrimination based upon additional protected characteristics.

For example, the cities of Harrisburg, York and Philadelphia all prohibit discrimination on the basis of multiple characteristics in addition to those listed above, including sexual orientation and/or gender identity. Recently, Philadelphia enacted an amendment to its Fair Practices Ordinance that expanded the characteristics on the basis of which discrimination is prohibited. The ordinance now prohibits discrimination on the basis of familial status, domestic or sexual violence victim status and genetic information, in addition to marital status, sexual orientation and the other protected classes identified above. The amendment to Philadelphia's Fair Practices Ordinance became effective June 21, 2011.

Even if your Company does not operate within the City of Philadelphia, remember to check for local ordinances that might impact your policies! Employers should carefully review their equal employment opportunity, discrimination and harassment policies, as well as their manager/supervisor and employee training materials, to ensure that they cover all protected characteristics at the federal, state and local levels.

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