FAIR EMPLOYMENT IN MASSACHUSETTS

Applicants to and employees of private employers with 6 or more employees*, state and local governments, employment agencies and labor organizations are protected under Massachusetts General Laws Chapter 151B from discrimination on the following bases:

**RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, SEX, GENDER IDENTITY, SEXUAL ORIENTATION, GENETIC INFORMATION, ANCESTRY, MILITARY SERVICE**

M.G.L. c. 151B protects applicants and employees from discrimination in hiring, promotion, discharge, compensation, benefits, training, classification and other aspects of employment on the basis of race, color, religion, national origin (including unlawful language proficiency requirements), age (if you are 40 years old or older), sex (including pregnancy), gender identity, sexual orientation, genetic information, ancestry, and military service. Religious discrimination includes failing to reasonably accommodate an employee’s religious practices where the accommodation does not impose an undue hardship.

**RETAILATION**

It is illegal to retaliate against any person because s/he has opposed any discriminatory practices or because s/he has filed a complaint, testified, or assisted in any proceeding before the Commission. It is also illegal to aid, abet, incite, compel or coercle any act forbidden under M.G.L. c. 151B, or attempt to do so.

**DOMESTIC WORKERS**

M.G.L. c. 151B prohibits discrimination and harassment against certain domestic workers where the employer has one (1) or more employee.* While some exclusions apply, domestic workers generally include individuals paid to perform work of a domestic nature within a household on a regular basis, such as housekeeping, housecleaning, nanny services, and/or caretaking. Employers are prohibited from engaging in sexual harassment and harassment and/or discrimination based on the protected classes described above, i.e. race, color, etc. Domestic workers are also entitled to parental leave.

**CRIMINAL HISTORY INQUIRIES**

The law prohibits employers from asking applicants on an initial employment application for any criminal background information unless an exemption by statute or regulation exists.

**MENTAL HEALTH FACILITY ADMISSION INQUIRIES**

Employers may not refuse to hire or terminate an employee for failing to furnish information regarding his/her admission to a facility for the care and treatment of mentally ill persons. An employment application may not seek information about an applicant’s admission to such a facility.

**IF YOU HAVE BEEN DISCRIMINATED AGAINST**

If you feel you have been harassed or discriminated against, you should immediately file a charge of discrimination with the Massachusetts Commission Against Discrimination, www.mcad.gov, at one of the offices below.

An agreement with your employer to arbitrate your discrimination claim(s) does not bar you from filing a charge of discrimination.

Springfield Office: 436 Dwight St., Room 220, Springfield, MA 01103 – P: 413-739-2145 F: 413-784-1056

For more information, please see our website: www.mass.gov/mcad/

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