

Sex-Based Discrimination

[Title VII of the Civil Rights Act of 1964](#) protects individuals against employment discrimination on the basis of sex as well as race, color, national origin, and religion. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

It is unlawful to discriminate against any employee or applicant for employment because of his/her sex in regard to hiring, termination, promotion, compensation, job training, or any other term, condition, or privilege of employment. Title VII also prohibits employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals on the basis of sex. Title VII prohibits both intentional discrimination and neutral job policies that disproportionately exclude individuals on the basis of sex and that are not job related.

Title VII's prohibitions against sex-based discrimination also cover:

- **Sexual Harassment**
This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment.
- **Pregnancy Based Discrimination**
Title VII was amended by the Pregnancy Discrimination Act, which prohibits discrimination on the basis of pregnancy, childbirth and related medical conditions.

The [Equal Pay Act of 1963](#) requires that [men and women be given equal pay for equal work](#) in the same establishment. The jobs need not be identical, but they must be substantially equal. Title VII also prohibits compensation discrimination on the basis of sex. Unlike the Equal Pay Act, however, Title VII does not require that the claimant's job be substantially equal to that of a higher paid person of the opposite sex or require the claimant to work in the same establishment.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

Statistics

In Fiscal Year 2007, EEOC received 24,826 charges of sex-based discrimination. EEOC resolved 21,982 sex discrimination charges in FY 2007 and recovered \$135.4 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- [Charge Statistics: Sex-Based Discrimination](#)

Need more information?

The law:

- [Title VII of the Civil Rights Act](#)

The regulations:

- [29 C.F.R Part 1604](#)

Enforcement guidances and policy documents:

- [Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions](#)
- [Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities](#)

We also have information on:

- [Equal Pay and Compensation Discrimination](#)
- [Pregnancy Discrimination](#)
- [Sexual Harassment](#)

You may also be interested in:

- [How to File a Charge of Employment Discrimination](#)
- [Mediation at EEOC](#)
- [Training and Outreach](#)
- [Information for Small Employers](#)

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