

# Know Your Rights: Discrimination



*Your right not to be discriminated against on account of your gender, race, sexual orientation, religion, ethnicity, marital status or family status.*

## How Am I Protected by Federal Law?

All women deserve acceptance, equality, and to lead a life free from discrimination, but nearly 50 years after the Civil Rights Act was enacted, women continue to be victims of intolerance and discrimination.

Today, federal laws, including the Civil Rights Act, protect you against discrimination in a number of areas, such as housing, employment, union membership, education, access to credit and access to public accommodations. Unfortunately, those protections are not absolute (for example, in housing, there are exceptions for two-family dwellings where one of the units is occupied by the owner).

**Gender** Gender discrimination encompasses both discrimination that relates to whether you are a man or woman, as well as to pregnancy and pregnancy-related medical conditions. You are protected against gender discrimination in the areas of housing, employment, union membership, education, and extensions of credit.

**Age** Employers are prohibited from refusing to hire you, discharging you, or discriminating against you in terms of your compensation and benefits, because of your age. The same protection is given to you in interactions with your labor union or employment agency. However, federal law only protects individuals against age discrimination if they are over 40 years old.

**Race/Color/Ancstry/National Origin** You are protected against discrimination in housing, employment, union membership, education, extensions of credit, and access to public accommodations.

**Physical or Mental Disability** If you have a physical or mental disability, you are protected against discrimination in the areas of housing, education and access to public accommodations. You are also protected in the area of employment, so long as you can perform the job without endangering others.

**Religion** Discrimination based on religion is prohibited in the areas of housing, employment, union membership, education, extensions of credit, and access to public accommodations.

**Marital Status** You are protected from discrimination in the extension of credit based on your marital status, but financial institutions can require that both spouses sign a promissory note and a mortgage.

**Military Service** If you have applied to serve, are serving or have served in the military, you are protected from employment discrimination based on that service. For example, if you are a member of the National Guard, your employer cannot deny you benefits or refuse to give you your job back when you return from a deployment.

**Family Status** Generally, landlords and home sellers cannot refuse to sell or rent a property to you based on the size or make-up of your family. However, they can discriminate if it is necessary in order to adhere to federal, local or state regulations about the number of people living in the dwelling. Housing designated for older people is exempted from this protection.

Thankfully, it is illegal for your employer to fire or discipline you for filing a complaint or assisting in an investigation of someone else's complaint.



Maine Women's Policy Center

THE VOICE OF MAINE WOMEN

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*The Maine Women's Policy Center is a nonprofit organization dedicated to improving the lives of women and girls.*

## How Does Maine Law Protect My Rights?

Maine law encompasses most of the protections granted under federal anti-discrimination laws, but expands protections in some areas (particularly in the area of sexual orientation). It also makes it illegal for your boss to fire or discipline you for filing a complaint or assisting in an investigation. Below are the additional protections available to you under Maine law.

**Gender** You are protected against gender discrimination in access to public accommodations.

**Age** Maine law protects you against age discrimination even if you are under 40, but it does allow employers to discriminate against minors if it is necessary to comply with federal laws. As long as you are not a minor, you are protected from age-related credit discrimination, though financial institutions can consider your age when determining the credit terms.

### Race/Color/Ancestry/National Origin

Maine law provides the same protection as federal law with regard to housing, employment, union membership, education, extensions of credit, and access to public accommodations.

**Religion** You are protected against religious discrimination in the areas of housing, employment, union membership, extensions of credit, and access to public accommodations.

**Physical or Mental Disability** In addition to protecting you against discrimination based on your physical or mental disability in the areas of housing, employment, education and access to public accommodations, Maine law also protects against discrimination in union participation.

**Marital Status** Maine law provides the same protection as federal law with regard to marital status and extensions of credit.

**Family Status** Maine law provides the same protection as federal law with regard to familial status and housing.

**Sexual Orientation** You are protected from discrimination based on your actual or perceived sexual orientation (heterosexuality, bisexuality, homosexuality or gender identity and expression). These protections extend to the areas of housing\*, employment\*, union membership, education\*, extensions of credit, and access to public accommodations.

\* Religious corporations, associations, or organizations that do not receive public funds are exempted from this provision.

## Frequently Asked Questions

### Can my employer force me to retire at a certain age?

No, an employer cannot set a mandatory retirement age.

### Can a landlord refuse to rent to me because I get public assistance?

No, a landlord renting property or public accommodations cannot refuse to rent to you, and he or she cannot impose different terms of tenancy on you, simply because you receive federal, state or local public assistance.

### Can an employer ask me about my race, gender, sexual orientation, etc. at an interview?

No, an employer cannot ask or try to obtain information about your race, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin at an interview. Likewise, the employer may not ask whether you have ever filed a Maine Human Rights Act complaint.

## Get Help



### HelpMELaw - Legal Resource

HelpMELaw.org



### Maine Human Rights Commission

Maine.gov/mhrc 207-624-6050



### Pine Tree Legal Assistance

PTLA.org



### Volunteer Lawyers Project

VLP.org 800-442-4293

## Learn More



### Equal Rights Advocates

EqualRights.org 415-621-0672



### Human Rights Campaign

HRC.org



### U.S. Department of Housing and Urban Development

portal.hud.gov/hudportal/HUD?src=/topics/housing\_discrimination  
800-669-9777



### U.S. Equal Employment Opportunity Commission

EEOC.gov 800-669-4000



If you think you have a discrimination claim, contact:

The Maine Human Rights Commission  
51 State House Station  
Augusta, Maine 04333-0051  
207-624-6050

MHRC complaints must be filed within 300 days of the incident, which is a required step before a case can be taken to court. To learn how to file a complaint and what steps will be taken by the Commission, visit [Maine.gov/mhrc](http://Maine.gov/mhrc).

Note: Under Maine law, it is illegal to fire or discipline an employee for filing a complaint or assisting in an investigation.

These materials are for informational purposes only, and do not constitute legal advice.  
Please contact an attorney for specific questions or if you feel your rights have been violated.

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