



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

Town of Kill Devil Hills, NC

Personnel Policy

June 29, 2020

ARTICLE IV. RECRUITMENT AND EMPLOYMENT

Section 1. Equal Employment Opportunity Policy

It is the policy of the Town to foster, maintain, and promote equal employment opportunity. The Town shall select employees on the basis of the applicant's qualifications for the job and award them with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to age, sex, [sexual orientation](#), [gender identity](#), race, color, religion, national origin, disability, political affiliation, marital status, or genetic information. In addition, the Town will grant preference in employment for all veteran applicants that are as equally qualified as the other applicants. As used in this policy, "veteran" shall mean any person who qualifies as a "veteran" as defined in 5 U.S.C. Section 2108 (see Article I, Section 7. Definitions). Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not represent an unreasonable barrier to satisfactory performance of essential duties with or without reasonable accommodation.

It is a violation of Town policy to retaliate in any way against an employee who assists, participates in, or supports this policy or anyone making a bona-fide complaint under this policy or who participates or assists in any EEOC, OSHA or other internal or external processes protected by law.

Section 2. Implementation of Equal Employment Opportunity Policy

The Human Resources Officer and all personnel responsible for recruitment and employment will continue to review regularly the implementation of this Personnel Policy and relevant practices to assure that equal employment opportunity based on reasonable, job-related requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, [sexual orientation](#), [gender identity](#), race, color, religion, disability, national origin, political affiliation, marital status or genetic information. Notices with regard to equal employment matters shall be posted in conspicuous places on Town premises in places where notices are customarily posted.

Title VII of the Civil Rights Act of 1964

Preventing Employment Discrimination

BY
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Before Title VII of The Civil Rights Act of 1964 was signed into law, an employer could reject a job applicant because of their race, religion, sex or national origin. An employer could turn down an employee for a promotion, decide not to give them a particular assignment or in some other way discriminate against that person because they were black or white, Jewish, Muslim or Christian, a man or a woman or Italian, German or Swedish. And it would all be legal.

On June 15, 2020, the U.S. Supreme Court ruled 6-3 that Title VII of the 1964 Civil Rights Act, which protects against employer discrimination on the basis of "sex," applies to gay and transgender people. Supreme Court Justice Neil Gorsuch, who wrote the opinion for the six-member majority, said, "In Title VII, Congress adopted broad language making it illegal for an employer to rely on an employee's sex when deciding to fire that employee. We do not hesitate to recognize today a necessary consequence of that legislative choice: An employer who fires an individual merely for being gay or transgender defies the law."¹

What is Title VII of the Civil Rights Act of 1964

When Title VII of the Civil Rights Act of 1964 was passed, employment discrimination on the basis of an individual's race, religion, sex, national origin or color became illegal.² On June 15, 2020, the U.S. Supreme Court ruled that employment discrimination on the basis of sexual orientation and gender identity is also illegal.³ All companies with 15 or more employees are required to adhere to the rules set forth by Title VII, which protects workers as well as job applicants.⁴ The law also established

the [Equal Employment Opportunity Commission \(EEOC\)](#), a bipartisan commission that is made up of five members appointed by the president.

It continues to enforce Title VII and other laws that protect us against employment discrimination.

How Does Title VII of the Civil Rights Act of 1964 Protect You?

Title VII of the Civil Rights Act of 1964 protects both employees and job applicants. Here are some ways in which it does that, according to the EEOC:

- An employer can't make hiring decisions based on an applicant's color, race, religion, sex or national origin. An employer can't discriminate based on these factors when recruiting job candidates, advertising for a job or testing applicants.
- An employer can't decide whether or not to promote a worker or fire an employee based on stereotypes and assumptions about their color, race, religion, sex or national origin. They can't use this information when classifying or assigning workers.
- An employer can't use an employee's race, color, religion, sex or national origin to determine their pay, fringe benefits, retirement plans or disability leave.
- An employer can't harass you because of your race, color, religion, sex or national origin.⁵
- An employer can't discriminate against employees based on sexual orientation or gender identity.³

In 1978, the Pregnancy Discrimination Act amended Title VII of the Civil Rights Act of 1964 to make it illegal to discriminate against pregnant women in matters related to employment.⁶