

Discrimination in Employment

Discrimination in employment is illegal in Minnesota

Under the Minnesota Human Rights Act, employment is a “protected area.” It is illegal to treat you differently in employment because of your:

- Race
- Color
- Creed
- Religion
- National origin
- Sex
- Marital status
- Disability
- Public assistance status
- Age
- Sexual orientation
- Familial status
- Local human rights commission activity

These are called “protected classes.” There are some exceptions about how each class is covered under the Minnesota Human Rights Act.

Examples of what could be employment discrimination

Unfair treatment in employment happens a lot. But not every unfair act is illegal. Here are some examples of what could be illegal discrimination in employment:

- A company gives pay raises only to its white employees, even though employees of other races have the same training, experience and performance.
- The people you work with call you bad racial names and make fun of you because of your race. This happens every day. Your boss knows about it but does nothing.
- A restaurant fires an employee because she gets pregnant.
- Your boss treats you worse than other employees because you have a disability.
- Your employer changes your job so you get less pay and status. Your employer does this because you he/she says you are “too old to learn new things.”
- Your boss makes you work “off the clock”—extra hours without pay—because you were not born in America.

What questions can an employer ask me during a job interview?

Generally, an employer cannot ask you questions that will make you give answers about any protected class you belong to. Questions about your race, your age, if you are married or not, or any other protected class are generally not allowed.

If the job you are applying for has specific needs for age, physical ability, or other things, then the employer may ask about those specific things. Here are some questions to watch out for:

- You speak with an accent, where are you from? This question could make you give information about your national origin or race.
- How old are you? Age is a protected class.
- Do you have a disability? Disability is a protected class.
- Are you married? Marital status—if you are single, married or divorced—is a protected class.
- Are you a U.S. citizen? Asking about your citizenship is also generally wrong, since citizenship is not often a job requirement.

An employer can—and under federal law must—ask for correct identification. This is to prove that you have the legal right work in the United States.

Can I be fired for filing a discrimination charge against my employer?

It is illegal for your employer to punish you—or get back at you—for filing a discrimination charge. This kind of revengeful punishment is called “reprisal.” You could file a separate charge of discrimination—this time for reprisal—against your employer if he/she punishes you for filing the first charge.

I am an undocumented worker; am I protected from discrimination?

Yes. The Minnesota Human Rights Act protects the rights of all people in Minnesota, whether or not they have documents that prove they are eligible to work in the United States.

What to do

If you think you are a victim of discrimination:

- Write down what happened to you if you think it was unfair.
- Write down the dates when the unfair treatment happened.
- Write down the names of other people that were there.
- Write down what the people who were there said.

Do not wait!

Sometimes it is hard to say what is discrimination and what is not discrimination—every situation is different. But if you think you are a victim of discrimination, do not wait. Contact the Minnesota Department of Human Rights immediately. You have one year after the discrimination happened to file a complaint.

How to Contact Us

We take phone calls Monday through Friday, 8:00 am to 4:30 pm

Phone: 651-539-1100 (TTY 651-296-1283); Toll free: 1-800-657-3704

You do not need an appointment to visit our office

We accept walk-ins from 9:00 am to 4:00 pm, Monday through Friday.

Our address

Minnesota Department of Human Rights
Freeman Building
625 Robert Street North
Saint Paul, MN 55155

Email address

info.MDHR@state.mn.us

If you are emailing the department about filing a charge of discrimination and do not receive a reply within five business days, please contact our intake unit by phone at 651-539-1100 (TTY 651-296-1283) or Toll Free at 1-800-657-3704.

Getting an interpreter

Interpreters may be available to communicate with our office. Call us and say, “I need a (say your language here) interpreter.”

This document is not a complete answer to employment discrimination under the Minnesota Human Rights Act.