

# WHAT TO DO IF YOU'RE EXPERIENCING GENDER DISCRIMINATION

## Quick Facts on Gender Discrimination in the Workplace

1. Employers cannot discriminate based on sex, sexual orientation, gender identity, or pregnancy status (federal law applies to employers with 15 or more employees).
2. Among other requirements, formal claims alleging discriminatory behaviors in hiring, termination, compensation, or promotion practices must include clear and demonstrable examples of how unequal treatment negatively impacted the "terms and conditions" of your employment (see below for more details).

## KNOW YOUR RIGHTS

### Some examples of illegal gender discrimination include:

- Not being hired or promoted because of your gender.
- Being evaluated or criticized based on traditional gender stereotypes (e.g., a woman being told she is "aggressive" for asserting herself, comments on appearance or lack of "feminine" qualities).
- Being paid less than a man with fewer qualifications in a similar or less demanding position.
- Experiencing differences in treatment due to pregnancy or breastfeeding.
- Retaliating against charges of gender discrimination.

## DOCUMENT

- Once an incident of discrimination occurs, document it. Write down the date of the event, any present individuals, and as much detail and context as possible.
- Review and note your employers' written policies against gender discrimination.
- Keep a file on all relevant emails, IMs, and text messages related to the situation.
- Ask any present witnesses if they feel comfortable writing a brief statement attesting to the incident.
- Consider recording conversations with your HR representative or managers. Under Utah law, you **do not** need to disclose to the other party that you are recording them if you are an active participant in the conversation (as opposed to a silent observer).

## COMMUNICATE

- Talk to others and/or speak out. You have the right to communicate openly about situations that feel discriminatory.
- Report discrimination to your boss and/or HR manager. If possible, ensure your complaint is in writing or send a follow-up email after a verbal conversation.
- Discuss filing an official complaint of discrimination with a legal expert. Consider submitting a claim with the [Utah Labor Commission](https://laborcommission.utah.gov/) for formal review.

### For Additional Details:

- <https://equalrights.org>
- <https://utahcriminallaw.net>
- <https://laborcommission.utah.gov/>