

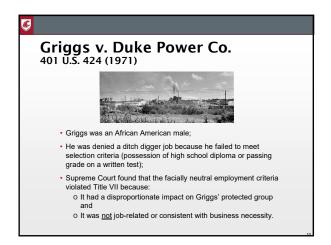
## **Disparate Treatment Discrimination**

- Disparate Treatment is direct intentional discrimination. It can take the form of treating an individual or several individuals differently from others based upon their membership in a protected class, such as race, gender, age, religion, color, national origin, or disability. Generally, this type of discrimination is easy to spot.
- Example: A job ad for an office assistant seeking "males" or "recent college graduates." Such an ad discourages females or person's over 40 from applying to the job.

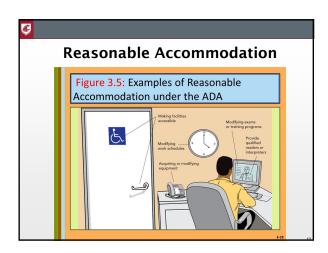
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## **Disparate Impact Discrimination**

- <u>Disparate Impact</u> Disparate impact refers to the policies, practices, rules or other systems that appear to be neutral, but result in a disproportionate impact on protected groups.
- Example: say that job applicants for a certain job are tested on their reaction times, and only people with a high score are hired. This test will discriminate against older workers, who are less likely to have fast reaction times. Whether this test is illegal will depend on whether fast reaction times are necessary for the job







## Reasonable Accommodation in the Selection Process Tell ALL applicants what the selection process involves Ask ALL applicants whether or not they will need a reasonable accommodation for this process Ask ALL applicants whether or not they are able to perform the essential functions of the job either with or without reasonable accommodation Contact your area's college's HR Consultant if you have questions or concerns regarding the legal framework of recruitment and how it pertains to your particular search.

