

The background of the slide features a large, stylized graphic of the Tennessee state flag. It consists of a blue field with three white stars, a white border, and a red field. The text is overlaid on this graphic.

# **Understanding the Tennessee Human Rights Act**

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## **Presentation Outline**

- **Agency Overview**
- **Employment Trends & Issues**
- **Mediation/Settlement**
- **Initiatives**

# What is the Tennessee Human Rights Commission (THRC)?

THRC is an independent state agency charged with enforcing the Tennessee Human Rights Act which prohibits discrimination in employment, housing and public accommodations and coordinates state wide compliance with Title VI of the Civil Rights act of 1964.

## Mission of the Agency

- ☐ Identify, prevent and eliminate discrimination
- ☐ Safe guard citizens from discrimination
- ☐ Provide Education and Outreach

## Laws Enforced by THRC

- ☐ TN Human Rights Act- Prohibits discrimination based on race color, national origin, sex, age, creed, religion, disability, familial status (housing) and retaliation
- ☐ TN Disability Act- Prohibits discrimination based on disability except reasonable accommodation, disability by association
- ☐ Title VII-Prohibits discrimination based on race color, national origin, sex, age, creed, religion, disability, and retaliation
- ☐ Age Discrimination In Employment Act-Prohibits discrimination against persons over 40 based on age
- ☐ Americans With Disabilities Act- prohibits discrimination based on disability except reasonable accommodation, disability by association
- ☐ Title VI –Prohibits discrimination based on race, color and national origin in program receiving federal financial assistance

## Are the Laws application different?

- ☐ The Tennessee Human Rights Act applies to Employers of 8 or more
- ☐ Title VII applies to Employers of 15 or more
- ☐ ADA applies to employers of 15 or more
- ☐ ADEA applies to employers of 20 or more

# THRC and EEOC

## What is the relationship?

- ❑ THRC and EEOC have a cooperative work sharing agreement that allows THRC to dual file and investigate employment discrimination charges to prevent duplication of effort. Complaining parties can elect to withdraw their charge with THRC and get a right to sue from the EEOC.

# THRC Staffing

- **Total staff –27**
- **4 offices**
- **Staffing**
  - **Enforcement**
    - **Employment** 11
    - **Housing** 6
  - **Attorneys** 2
  - **Education & Outreach** 2
  - **Customer Contact** 4
  - **Title VI** 1

# EMPLOYMENT COMPLAINT PROCESS

- *Intake Process*
- *Mediation*
- *Investigation*
- *Settlement*
- *Legal Review*
- *Final  
Determination*
- *Appeal Options*

## Issues and Complaints

- Trends and Issues
- Workload Statistics
- Settlement and Mediation Results

## Trends & Issues

- Davidson, Knox, Hamilton, Shelby, Madison & Sullivan account for the largest number of receipts every month
- 60% of all cases are based on race, color, sex or religion
- Pregnancy Discrimination is on the rise
- English in the workplace continues to be an issue
- Discrimination complaint on the rise generally

## Case Load

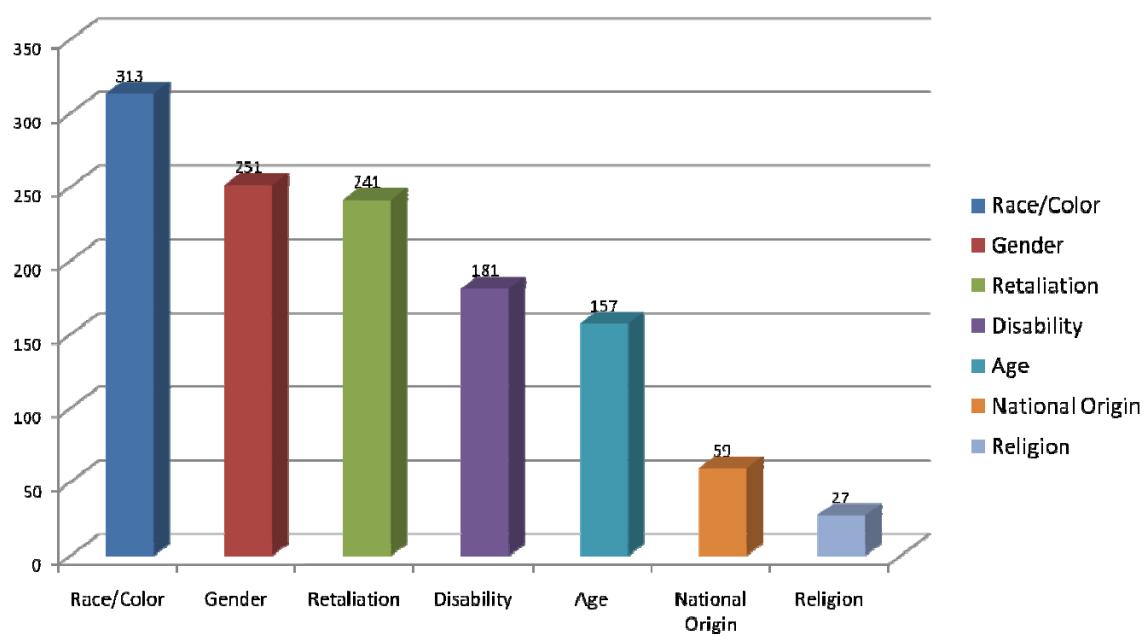
Year	Case Load
• 2006	967
• 2007	883
• 2008	961

THRC also averages 940 calls a month, 80 is the number of inquiries of per month.

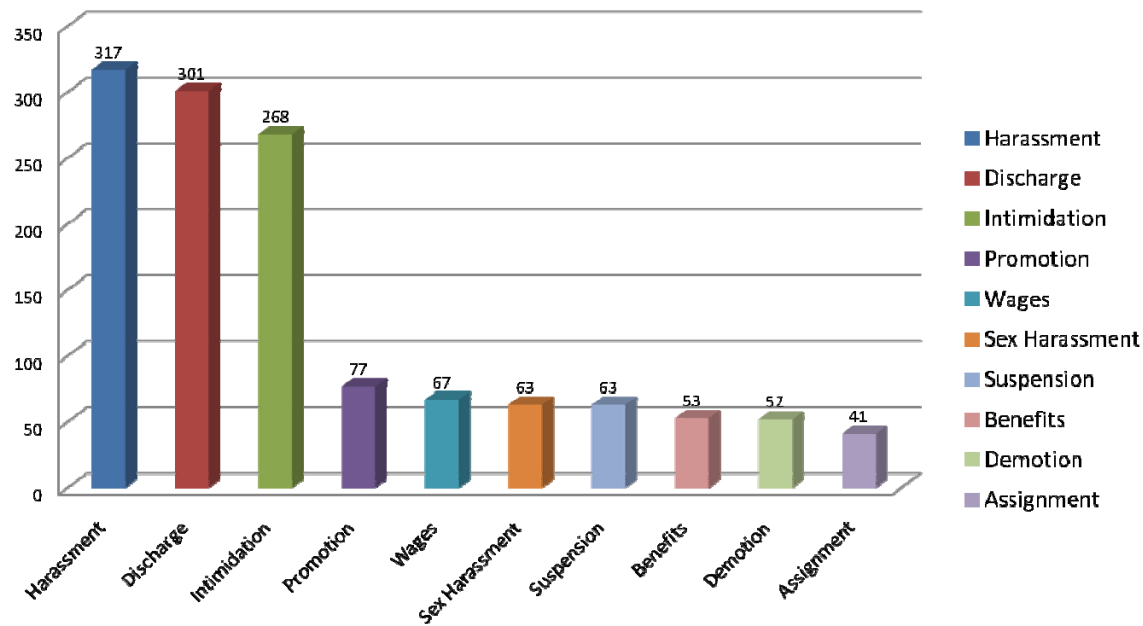
# Settlements & Mediations

- 2007               \$ 71,000
- 2008               \$278,525
- 2009               \$436,121
- 2010               \$455,147

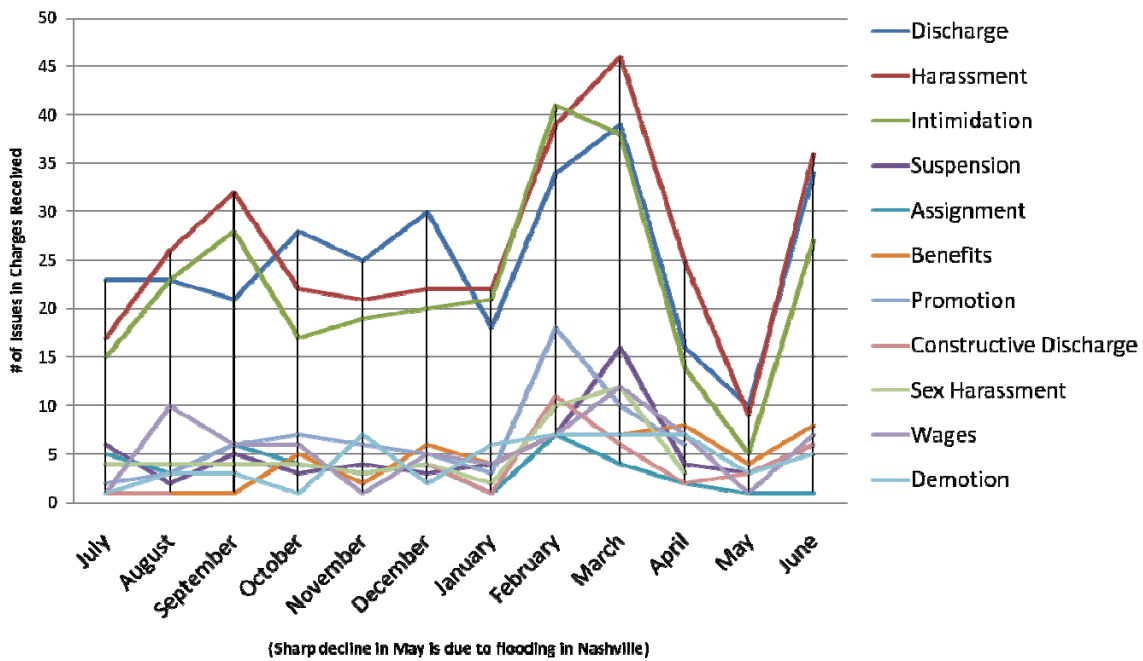
## FY 09/10 Employment and Public Accommodation Complaints Received Sorted by Basis Alleged



# FY 09/10 Employment and Public Accommodation Charges Received Sorted by Issues Alleged

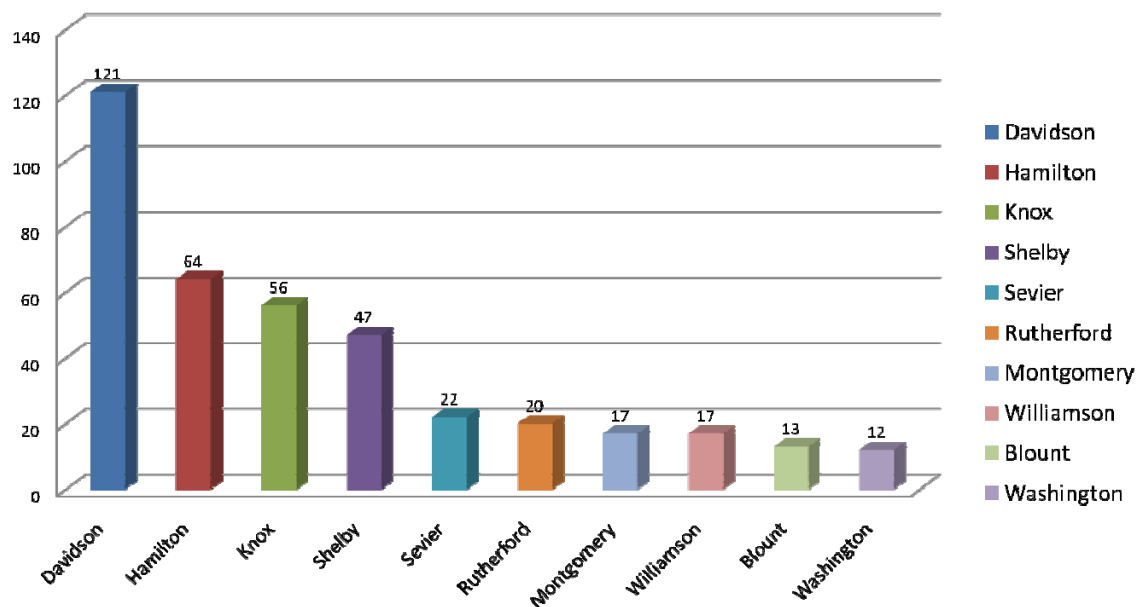


# FY 09/10 Employment and Public Accommodation Complaints Showing Monthly Trends in Issues

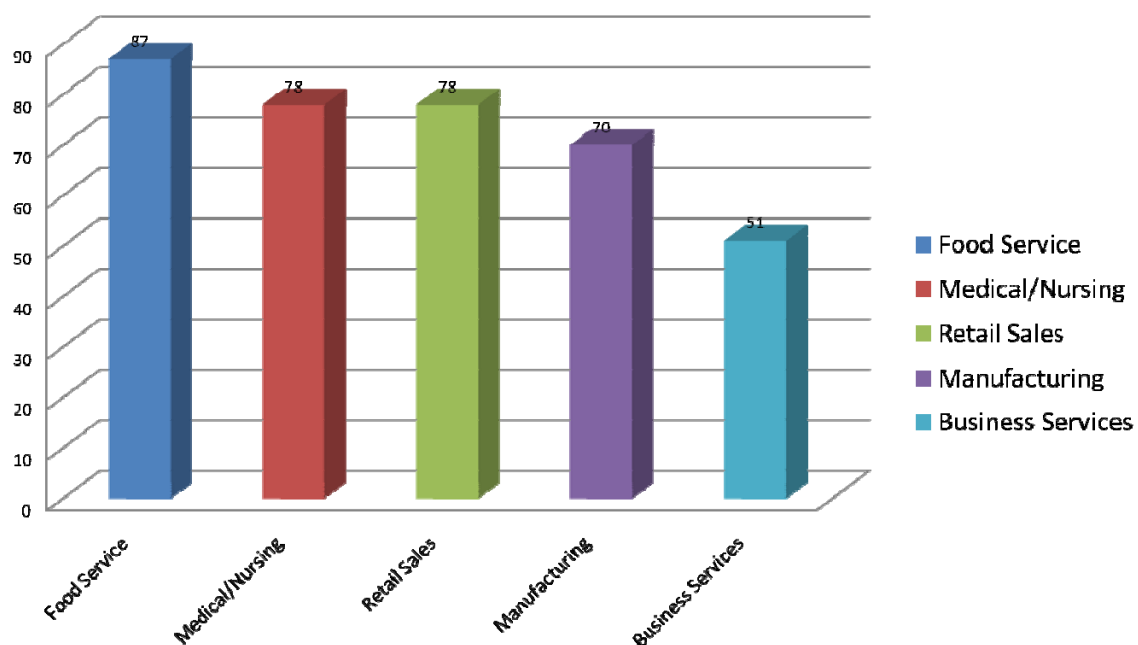




## FY09/10 Employment and Public Accommodation Charges Received Top Ten Counties



## FY09/10 Employment and Public Accommodation Complaints Received Showing Top 5 Industries





**Questions?**

## How to Contact us?

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[www.tn.gov/humanrights](http://www.tn.gov/humanrights)