



## *Know Your Rights:*

### Examples of Unlawful Discrimination or Harassment Commonly Faced by Women in Accessing and Working in the Trades<sup>1</sup>

#### Denial of Equal Opportunity in Apprenticeship

##### Barriers to Entry:

- Your guidance counselor, employment counselor or other workforce development program only tell the men about jobs in construction, manufacturing or other high-wage, traditionally male-dominated jobs and/or refuse to refer you or give you an application to training that will lead to those occupations ([Title IX](#) and [Title VII](#)). You may also want to look up Federal and State Department of Labor Complaint processes as most workforce development, training and placement services are federally and state funded (see Workforce Development section of [Federal Laws Fact Sheet](#)).
- You test high on the application test and are invited to interview. After you are told you did not score high enough on your interview to be accepted into the apprenticeship program. You notice that most of the other women who tested and were interviewed also did not pass the interview. You later find out that many men who tested lower on their application test passed their interviews. ([Title VII](#) and [Apprenticeship Act](#) fact sheets)
- Your application requires that you take a test to prove that you're qualified to enter an apprenticeship program. You take the test. Afterwards, when you talk to others who entered the apprenticeship program without taking the test, they say they've never heard of that specific test being administered to any other prospective apprentices. ([Title VII](#) and [Apprenticeship Act](#) fact sheets)
- You have to pass a physical ability test in order to get into an apprenticeship program, but the standards or tasks imposed by the tests are different for men and women. The test assumes you have to be a certain minimum height or weight or have a type of strength associated with gender for you to pass even though with minor changes, such as a taller ladder, a step stool or other piece of equipment, commonly found on the worksite, people of different sizes and strengths could still accomplish the task. Or, the tasks you are asked to accomplish are not actually related to what is required on the job. ([Title VII](#) and [Apprenticeship Act](#) fact sheets)





Discrimination in Apprenticeship (see [Title VII](#) and [Apprenticeship Act](#) fact sheets):

- All of the male apprentices in your class are assigned a journey worker to work with when they arrive on site and you are left to find your own journey worker. Or you are assigned to work alone, or with a worker from another trade.
- You are always assigned the errands including coffee, or are assigned to “grunt work” like sweeping or clearing lumber while other male classmates or apprentices junior to you are working with their tools.
- You are only assigned to a specific set of tasks and are not given the opportunity to learn other aspects of our trade.
- The journey worker assigned to you refuses to show you how to do the work.

## Denial of Equal Opportunity and Unfair Terms and Conditions at Work

- After you become an apprentice or union member, you find that it is hard to get work referrals from your union. You put your name on the hiring list but men further down on the list get sent out first. You hear from co-workers that men who aren’t even on the list are getting sent out before you; or you get sent out to jobs but the contractor refuses to let you work; or the contractor only assigns you to a short-term job while asking for another hiring hall referral so that a man ends up doing the job you were originally sent to do. ([Title VII](#))
- You are in a union that encourages you to “shape” your own work by going to construction sites ready to work. You notice that men who come later, may not have all their tools or are otherwise not as prepared as you, are still be chosen to work on the site before you. ([Title VII](#))
- You are given fewer tools and safety equipment than male coworkers. The tools and equipment are of poorer quality and/or don’t fit. ([Title VII](#))
- Bathrooms: (see also [OSHA](#) rules or look up your State OSHA rules. See also [transgender](#) rights as well as [Title VII](#) fact sheet)
  - Your worksite has no separate restroom for women. Or your worksite has separate restrooms for women but they are inadequate. The portable toilets for women have only half walls, and they are much farther away than the





men's toilets. You complain to your boss and ask several times for the company to install a separate restroom for women, but you are brushed off each time.

- You have to travel more than 10 minutes to access a bathroom in another public space or go outdoors to relieve yourself and get penalized or lose pay for the time you spend getting to and from the bathroom.
  
- You are denied opportunities to get the training you are told you need in order to qualify for a promotion (such as shop steward, foreman, superintendent) while your male coworkers get those opportunities, or you are told that you must meet requirements to qualify for the promotion while men get promoted without meeting those requirements. ([Title VII](#), [NLRA](#) fact sheets)
  
- When you arrive late to work a few times, your boss yells at you in front of your coworkers, then writes you up or lays you off. Meanwhile, he says nothing and doesn't impose such severe discipline on your male coworkers when they come in late as frequently as you. ([Title VII](#), [EO 11246](#) fact sheets)
  
- You are fired for violating a safety rule regarding use of machines or other safety rule at your worksite which you've seen your male coworkers violate regularly, without being disciplined at all, let alone fired. ([Title VII](#))
  
- You are moved around from contractor to contractor or from project to project for the sole purpose of meeting the contractor's goals (checkerboarding). ([Title VII](#), [EO 11246](#) fact sheets)

## Retaliation

- You complain about harassment to your boss, and then file an internal complaint with the company. You are laid off, sent to work on your own for a job that usually requires two people, and/or you are assigned the worst or most dangerous jobs or jobs that are finishing up as a result. ([Title VII](#))
  
- As a result of agreeing to be your female coworker's witness in her sex harassment complaint, you are transferred to a new, less desirable position that requires you to work much harder physically or for fewer hours. ([Title VII](#))
  
- You are suspected of filing a complaint, even though you haven't, and are not sent out to jobs or are moved off jobs as quickly as possible. ([Title VII](#), [NLRA](#) fact sheets)



- You file a complaint of discrimination against your employer with the EEOC. Your coworkers hear about it and start giving you a hard time. Working there gets harder and harder, so you quit and go looking for a new job. You find a new employer who has openings. When the employer hears that you filed an EEOC charge before quitting your last job, he refuses to hire you. Let your investigator at the EEOC know. ([Title VII](#))

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<sup>i</sup> These examples are drawn from actual experiences and/or complaints by apprentices and tradeswomen but are not an exhaustive list. See also Fact Sheet on the Legal Definitions of Discrimination, Harassment and Retaliation for other general types of discrimination.

