



This table presents general guidelines for Georgia nonprofit organizations and should not be construed as legal advice. Always consult an attorney to address your particular situation.

FEDERAL LAW

| Name of Statute | Applicability | Protection Provided |
|---|---|--|
| Civil Rights Act of 1964 ("Title VII") | Applies to employers with 15 or more employees | Prohibits discrimination (including harassment) in employment on the basis of race, color, national origin, religion, and sex |
| Civil Rights Act of 1866 (Section 1981) | Applies to all employers, regardless of size | Prohibits discriminatory employment decisions and harassment based on race |
| Age Discrimination in Employment Act (ADEA) | Applies to employers with 20 or more employees | Prohibits discrimination in employment on the basis of age, provided that the individual is age 40 or over |
| Americans with Disabilities Act (ADA) | Applies to employers with 15 or more employees | Prohibits employers from discriminating against persons with disabilities who are able to perform the essential functions of a job, either with or without reasonable accommodation |
| Family and Medical Leave Act (FMLA) | Applies to employers with 50 or more employees who are employed within a 75 mile radius of the worksite where the employee requesting leave works | Requires covered employers to provide eligible employees with up to twelve (12) work weeks of unpaid leave during a twelve (12) month period for specifically defined situations |
| Equal Pay Act of 1963 | Applies to employers engaged in commerce and having sales or business of at least \$500,000.00 annually | Prohibits an employer from discriminating between employees within any establishment on the basis of sex by paying them different wages for positions that require equal skill, effort, and responsibility, and which are performed under similar working conditions |
| Lilly Ledbetter Fair Pay Act of 2009 | Amends Title VII, the Equal Pay Act, the ADEA and the ADA (see applicability under those laws) | Provides that each paycheck that contains discriminatory compensation is a separate discriminatory act which can be challenged under the applicable discrimination law (extending time period within which an employee or former employee can file a claim) |
| Pregnancy Discrimination Act of 1978 | Applies to employers with 15 or more employees | Prohibits employers from intentionally discriminating against pregnant employees or maintaining policies that adversely affect pregnant employees |
| Pregnant Workers Fairness Act (PWFA) | Applies to employers with 15 or more employees | Requires employers to provide reasonable accommodations to employees with limitations related to pregnancy unless doing so creates an undue hardship (using ADA definitions of these terms) |

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| Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP) | Applies to all employers but employers with fewer than 50 employees can be exempt with proof of undue hardship | Requires employers to provide breastfeeding employees with a reasonable amount of break time to express milk as needed for up to one year following the birth of a child, and space to do so that is shielded from view, free from intrusion of co-workers and the public and is not a bathroom. |
| Uniformed Services Employment and Reemployment Act (USERRA) | Applies to all private employers, regardless of size | Prohibits employers from discriminating or retaliating against employees based on service in the uniformed services |
| Genetic Information Nondiscrimination Act of 2008 (GINA) | Applies to employers with 15 or more employees | Prohibits employers from obtaining genetic information about employees or family members, except under specific circumstances, and from discriminating against employees based on genetic information |

GEORGIA LAW

| Name of Statute | Applicability | Protection Provided |
|---|---|--|
| Family Care Act | Applies to all employers with 25 or more employees | Requires employers who provide sick leave to employees who work at least 30 hours per week to permit up to 5 calendar days of the leave each year to be used for the care of the employee's immediate family members. |
| Equal Employment for Persons with Disabilities Code | Applies to all employers with 15 or more employees | Prohibits employers from engaging in discrimination against qualified individuals with a disability |
| Wage Discrimination Statute | Applies to all employers with 10 or more employees | Prohibits employers from paying wages to employees of one sex at a lesser rate than that paid to employees of the opposite sex for comparable work |
| Georgia Military Leave Law | Applies to all employers, regardless of size | Prohibits employers from discriminating or retaliating against employees based on service in the uniformed services |
| Jury Duty Statute | Applies to all employers, regardless of size | Prohibits employers from penalizing an employee who is answers a jury summons or other court process |
| O.C.G.A. §34-1-6 (Georgia Breastfeeding Statute) | Applies to all employers, regardless of size, but employers with fewer than 50 employees can be exempt with proof of undue hardship | Requires employers to provide breastfeeding employees with a reasonable amount of paid break time to express milk as needed following the birth of a child, and a private location, other than a restroom to express milk. |

ATLANTA LAW

| Name of Statute | Applicability | Protection Provided |
|---|--|--|
| City of Atlanta Ordinance No. 2000-79/Unlawful Employment Practices | Applies to all private employers with 10 or more employees | Prohibits discrimination on the basis of race, color, creed, religion, sex, gender expression, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, disability, or criminal history. |
| City of Atlanta Ordinance No. 19-O-1205/Smoking | Applies to all employers, regardless of size | Prohibits smoking or using vapor products in places of employment, including outdoor areas |