

5 Things You Should Know About National Origin Discrimination in Employment

- 1 In New Jersey, national origin discrimination and harassment are illegal in employment.** The New Jersey Law Against Discrimination (LAD) protects you from national origin discrimination in employment and national origin-based harassment from coworkers, supervisors, and patrons, even if you are a refugee, migrant, or non-U.S. citizen. This includes unfair treatment based on your actual or perceived ethnicity, country of birth, culture, or language.
- 2 Your employer generally may not make employment decisions based on your national origin.** Employers cannot make employment decisions (like hiring, firing, and pay) based on your national origin. For example, your employer cannot fire you because you were born in Mexico or pay you less because you are not a U.S. citizen. Employers may verify employment eligibility of newly-hired employees pursuant to the Federal Form I-9 process.
- 3 Your accent cannot stop you from succeeding at work.** Employers cannot deny you a position because of your accent, if you can communicate in English adequately for the job, even if communicating in English is an essential job function. For example, it is illegal for your employer to refuse to promote you because you have a Haitian-Creole accent and your employer wants you “to speak more like an American.”
- 4 Others cannot harass you at work because of your national origin.** Where national origin-based harassment by a customer or other employees interferes with your ability to perform your job, your employer must address the harassment if they know or should have known about it. Harassment may include the use of slurs or derogatory or demeaning comments about your national origin.
- 5 Employers may not use neutral policies or rules to discriminate.** Neutral work policies and rules that impact people of one national origin more harshly than another are prohibited unless necessary to serve a substantial, legitimate, nondiscriminatory interest. For example, an English proficiency requirement that is not necessary for an employee to effectively perform their job duties can disproportionately impact employees by national origin and may violate the LAD.

No one can retaliate against you for reporting LAD violations, filing a discrimination complaint, or exercising other rights under the LAD.

To find out more, or to file a complaint, go to [NJCivilRights.gov](https://www.njcivilrights.gov) or call 1-833-NJDCR4U (1-833-653-2748). DCR enforces the LAD, which protects all people from discrimination in New Jersey regardless of immigration status. To learn more, click [here](#).

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NJ Office of the Attorney General
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