

## Good Advertisements are Good for Business

Use care when creating job postings and housing listings to avoid violating anti-discrimination laws. These guidelines will help you choose acceptable language for your advertisements.

Generally, it is not legal to indicate any preference or restriction based on race, color, religion, sex, national origin, age, disability, familial status, marital status, arrest record, height or weight.

Advertising that you provide equal opportunity encourages applications from a range of candidates, which is always beneficial to an employer or landlord.

It is good for business to include people of color, women, and people with disabilities in visual and audio ads, particularly in non-traditional roles.

Advertisements may be offensive if they:

- Mimic accents
- Portray negative stereotypes of racial or ethnic groups
- Portray people who are scantily clad or provocatively dressed.

## Special Circumstances

You may be able to advertise for an employee of a particular sex, religion, national origin, height, weight, marital status or age if it is reasonably necessary for normal operation of your business. This is called a bona fide occupational qualification (or BFOQ).

For example, an employer might be able to advertise for a "female attendant for ladies' restroom."

Race or color can never be a bona fide occupational qualification. An employer should apply to the Michigan Civil Rights Commission for approval of a BFOQ prior to its use. For more information on the approval process, call 1/800-482-3604.

Some employers may be legally obligated to advertise that they are affirmative action employers. Your legal counsel can tell you if this applies to your situation.



Toll-Free 1/800-482-3604

TTY Users 1/877-878-8464

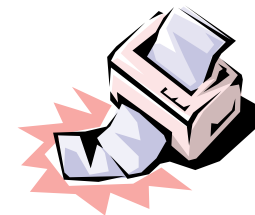
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CIVIL RIGHTS

## WRITING NON-DISCRIMINATORY ADVERTISEMENTS



You Cannot Use	Because	You Can Use	Examples
<b>EMPLOYMENT</b>			
Help wanted—male Opportunity for career-minded woman	The US Civil Rights Act of 1964 (Title VII) and the Elliott-Larsen Civil Rights Act prohibit discrimination based on <b>sex</b>	Language that does not specify men or women	Flight Attendant Salesperson Wait staff/Server
Whites only US Citizens only	The US Civil Rights Act of 1964 (Title VII) and the Elliott-Larsen Civil Rights Act prohibit discrimination based on <b>race, color, or national origin</b>	Language that does not refer to race, color, ethnicity or ancestry	Minorities, women, and persons with disabilities welcome to apply
Supplement your retirement income Young person/mature person wanted College student Recent college graduate	The Elliott-Larsen Civil Rights Act and the Age Discrimination in Employment Act prohibit discrimination based on <b>age</b>	Age-neutral language  Language that refers to advantages of the job	Wanted: Individuals of all ages  Excellent source of income for retirees or students
Able-bodied Strong workers Must pass physical	The Americans with Disabilities Act (ADA) and the Michigan Persons With Disabilities Act prohibit discrimination based on <b>disability</b>	Language that describes job requirements, or that employment is conditional upon passing appropriate tests <sup>1</sup>	Employment subject to passing job-related physical exam  Job involves lifting 50-pound boxes
Single individual Slender build Weight in proportion to height	The Elliott-Larsen Civil Rights Act prohibits discrimination based on <b>height, weight and marital status</b>	Language that describes job duties rather than physical appearance or marital status	Job involves climbing ladders  Job requires frequent overnight travel
Clean shaven (may exclude members of certain religions or races)	The US Civil Rights Act of 1964 (Title VII) and the Elliott-Larsen Civil Rights Act prohibit discrimination against persons because of religion <sup>2</sup>	Saturday/Sunday availability required	Job duties include teaching classes in Christian religious doctrine
<b>HOUSING</b>			
Adults only No children Married couple	Fair Housing Act (Title VII), the Elliott-Larsen Civil Rights Act, and the Persons with Disabilities Act prohibit discrimination against persons because of race, color, religion, national origin, sex, age, marital and familial status, or disability in the <b>sale or rental of property</b>	Language that refers to credit worthiness, rental history, designated senior citizen housing (age 50+); display ads that reflect diversity	Now accepting applications  Equal Housing Opportunity or  We encourage and support an affirmative marketing and advertising program in which there are no barriers to obtaining housing because of race, color, religion, sex, disability, familial status or national origin.

<sup>1</sup> Federal and state laws specifically limit pre-employment health inquiries and testing requirements. Consult legal counsel for advice on how to comply with these laws.

<sup>2</sup> Title VII allows some religious employers to give preference to members of their own religion.