

What can you do if you believe you are a victim of discrimination?

If you believe you are a victim of unlawful discrimination, you can file a complaint, at no cost, with the Hawai'i Civil Rights Commission (HCRC). During this process, you should be prepared to:

- present specific date(s) and facts about the alleged discrimination;
- identify any documents (emails, applications, paycheck stubs, etc.) that can support the allegations in the complaint;
- identify any witnesses that can confirm the allegations in the complaint; and
- keep the HCRC updated if you change your phone number or address.

For persons who need language assistance or a sign language interpreter, please let us know and an interpreter will be provided at no cost.

Complaints must be filed within 180 calendar days from the date the discrimination took place.

(2024)



Hawai'i Civil Rights Commission Mission Statement:

To eliminate discrimination by protecting civil rights and promoting diversity through education and enforcement of anti-discrimination laws.

Contact us

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HAWAI'I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI'I

Enforcing State Laws Against Discrimination

In Employment, Housing, Public Accommodations, and State and State-Funded Services

Hawai'i Revised Statutes §§ 368, 368-1.5, 378 Part I, 489, 515



Hawai'i Law Prohibits Unlawful Discrimination Based On

Gender Identity or Expression & Sexual Orientation

In Employment, Housing, & Public Accommodations

In Employment

It is illegal* for employers, employment agencies, and labor organizations to:

- Refuse to hire, fail to promote, or discharge from employment
- Exclude or expel from membership or refuse to enter into an apprenticeship agreement
- Harass a person or retaliate against that person for complaining about illegal discrimination
- Print or circulate an advertisement which expresses discrimination

...because of your sexual orientation or gender identity or expression.

All employees have a right to safe and appropriate restroom and locker room facilities that corresponds to the employee's gender identity, regardless of the employee's assigned sex at birth.

Limitations: Religious institutions or organizations may give preference to persons of the same religion, or may make a selection calculated to promote that institution's religious principles.

(*Specified items are examples, not an exhaustive list)

*This flyer is a general summary of Hawai'i's anti-discrimination laws. For the statutes and administrative rules, visit our website:

<https://labor.hawaii.gov/hcrc>

In Real Estate Transactions & Housing

It is illegal* for housing providers, real estate agents, or anyone engaging in a real estate transaction to:

- Refuse to rent or otherwise engage in real estate transactions
- Print or circulate an advertisement which expresses discrimination

...because of your sexual orientation or gender identity or expression.

Gender Identity or Expression

Includes a person's actual or perceived gender, as well as a person's gender identity, gender related self-image, gender-related appearance, or gender-related expression, **regardless** of whether that gender identity, gender related self-image, gender-related appearance, or gender related expression is different from that traditionally associated with the person's sex at birth.

It's the LAW: Hawai'i Revised Statutes §§ 378-1, 489-2, and 515-2.

In Public Accommodations

It is illegal to deny a person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of accommodation on the basis of a person's sexual orientation or gender identity or expression.*

Public accommodations are places where you are a customer, visitor, or client to a place of business, recreation, entertainment, or transportation that makes its goods or services available to the general public.

Examples of Unlawful Discrimination*

- You cannot be fired for expressing your gender identity or pronoun preference
- A landlord cannot refuse to rent to you because you are in a same-sex relationship
- You cannot be refused service at a restaurant because of gender expression or sexual orientation
- You cannot be denied the right to use a restroom or locker room that corresponds with your gender identity

The State of Hawai'i has a strong commitment to the protection of civil rights. Article I, Section 5 of the Hawai'i Constitution provides that "no person shall be denied the enjoyment of civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry." The legislature gave meaning to this commitment by creating the Hawai'i Civil Rights Commission (HCRC), through enactment of Act 219 in 1988 and Acts 386 and 387 in 1989.