

# A GLIMPSE INTO EMPLOYMENT DISCRIMINATION IN VIRGINIA

**ACLU**  
VA **50**  
YEARS

# Acknowledgement

*The American Civil Liberties Union (ACLU) of Virginia is a private, non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation and advocacy with the goal of securing freedom and equality for all. In addition to the litigation for which the ACLU has been known, we also educate the public, inform the media, lobby legislators, organize grassroots activists, and disseminate information about our constitutional freedoms through our membership and volunteer chapters.*

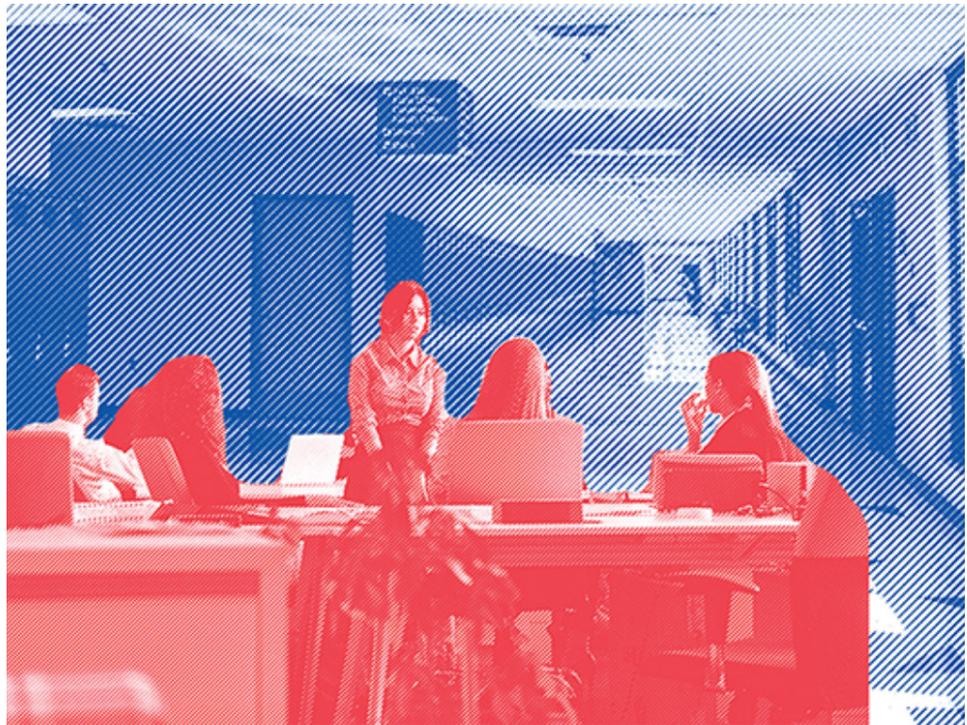
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# Introduction

Efforts to prevent employment discrimination across the country are a patchwork of federal and state law protections and enforcement. At the federal level, large employers are prohibited from various types of discrimination, with enforcement efforts spearheaded by the Equal Employment Opportunity Commission. States are left to fill in the gaps among the many federal laws with their own protections. Virginia law does not do much to fill those gaps.

In this report, we set out to answer two questions:

- 1. How do other states' efforts to curb employment discrimination compare to Virginia's lackluster laws and enforcement mechanisms?** Virginia's primary anti-discrimination law is in the Virginia Human Rights Act, which only prohibits employers with between six to 14 employees from firing someone on the basis of a protected status. The only statewide enforcement authority exists as a division of the Office of the Attorney General, which cannot order relief or litigate complaints they find substantiated. We compared these provisions with the enforcement mechanisms in other states in our 50 State Survey, and found that Virginia is lagging far behind in meaningful enforcement efforts.
- 2. What types of employment discrimination have people reported to the ACLU of Virginia?** We wanted to get a sense of what issues people have been raising in this area. We analyzed and summarized claims of discrimination through our intake process going back to 2013 to get a glimpse into trends and common threads across the Commonwealth. Our data is self-reported and not comprehensive but provides an important window into types and bases of discrimination faced by Virginia workers.

From all the intakes we reviewed and our comparisons to other states, one thing is clear: Employment discrimination is happening throughout Virginia, and the Commonwealth is not doing enough to combat it. We urge policymakers to take steps to provide better protections for Virginia's employees, like strengthening our state-level anti-discrimination law, creating an independent state agency that can enforce this law, and collecting and reporting data annually. Anti-discrimination protections are an area of law for Virginia that is too important to remain at the bottom of the country.

# 50 State Survey

## What are other states doing and how does Virginia measure up?

As part of our employment discrimination snapshot, we wanted to see how other states and the District of Columbia handle claims of discrimination. We reviewed the anti-discrimination agencies, commissions, or departments in every state and their respective powers.

As part of our employment discrimination analysis, we wanted to see how other states and the District of Columbia handle claims of discrimination. We reviewed the anti-discrimination agencies, commissions, or departments in every state and their respective powers. Our summary of these agencies and their powers is contained in the table on the following page.

### **Types of discrimination & bases for discrimination**

In this paper, the “type” of discrimination is how the employee is being discriminated against – via harassment, creation of a hostile work environment, the terms and conditions of their employment, termination, retaliation, etc.<sup>1</sup> The “basis” of discrimination is why the employee is being discriminated against – on the basis of race, sex, religion, disability, age, or other protected class.

The only type of discrimination against which Virginia currently provides protection is for termination because of a protected identity. In contrast, federal anti-discrimination protection covers multiple types of discrimination including harassment, discrimination in the terms and conditions of employment and in hiring, as well as explicit retaliation protections. Virginia law does not provide explicit employment protections against discrimination on the basis of sexual orientation or gender identity. Twenty states currently offer statutory protection against employment discrimination on the basis of both sexual orientation and gender identity. Two additional states offer statutory protection only on

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<sup>1</sup> The National Conference on State Legislatures has compiled a comprehensive chart on which states prohibit discrimination on which bases, and what types of relief are available. This chart is available at <http://www.ncsl.org/documents/employ/Discrimination-Chart-2015.pdf>.

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### Basis of Discrimination

The “basis” of discrimination is why the employee is being discriminated against – on the basis of race, sex, religion, disability, age, or other protected class. Virginia law does not provide explicit employment protections against discrimination on the basis of sexual orientation or gender identity.

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the basis of sexual orientation.<sup>2</sup>

### State Enforcement Authorities

We found that all states with an anti-discrimination authority of some type investigate claims and attempt to settle or mediate these claims. There is a split between what states do with complaints for which they find some sort of basis, but they are unable to mediate. Some agencies have authority to hold a hearing and order relief, while others have authority to litigate the complaint in the state’s courts. Still others appear to do nothing if they cannot mediate the claim. According to our review, 39 state authorities may hold hearings and order relief, while 17 have litigation authority or litigate through the state attorney general. Nine have both powers, and four, like Virginia, have no meaningful enforcement mechanism. Of those four, Virginia is the only state that had a designated enforcement office but no meaningful mechanism. Alabama, Arkansas, and Mississippi did not have anti-discrimination enforcement authorities that we could find.

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<sup>2</sup> Lambda Legal, “In Your State,” available at <https://www.lambdalegal.org/states-regions/in-your-state> (last accessed Oct. 10, 2019). The “Workplace” map from Lambda Legal also identifies which states provide protections only to public employees via law or executive order. Virginia is one of seven states that provides protections based on both sexual orientation and gender identity. Virginia’s protection is only offered via an executive order, and is not codified in state law.



Finally, we indicated which of these states have annual reporting requirements and what the minimum number of employees an employer must have to be subject to a state law private law suit for discrimination. This minimum number may not apply to all types or bases for discrimination under state law. Twenty-eight states have employee thresholds for private suits for at least some types of or bases for discrimination that is lower than Virginia's threshold of six employees under the Virginia Human Rights Act (HRA). While Arkansas does not have a state enforcement authority, it permits a private cause of action for employment discrimination with no minimum number of employees.

## Conclusion

Virginia's state anti-discrimination law provides minimal protections against discrimination. Other states are doing far better in providing meaningful protections to employees in their state. Based on our intakes snapshot and this state survey, we recommend the following strategies to strengthen Virginia's anti-discrimination efforts:

- Create an independent state agency that can investigate, settle, and litigate claims of discrimination on behalf of employees in Virginia.
- Collect and publish data on discrimination complaints in Virginia annually.
- Expand Virginia state protections under the HRA to include all types of legally recognized discrimination and create explicit retaliation protections.
- Authorize equitable forms of relief including rehiring and internal anti-discrimination policies, permit both punitive and compensatory damages, and increase damages and attorney's fee awards available under the HRA to encourage private enforcement of anti-discrimination laws.

**It's clear that employment discrimination happens in Virginia, and not enough is being done to stop it.** We encourage the state's policymakers to provide better anti-discrimination protections in state law.

State Agency	Is the agency independent?	Does the agency investigate complaints?	Does the agency conciliate or mediate claims?	Does the agency hold hearings on claims?	Can the agency order relief?	Does the agency litigate claims?	Does the agency have reporting requirements?	What is the minimum # of employees for a state law private suit? <sup>3</sup>
Alaska Commission for Human Rights	Housed in Office of the Governor	Yes	Yes	Yes	Yes	No, but can intervene in private suits	Yes, annually	2
Arizona Civil Rights Division	Housed in the Dept. of Law	Yes	Yes	No	No	Yes, when not against the state; can also intervene in a private employment action	Yes, annually	No minimum for sexual harassment, 15 for bases
California Department of Employment and Fair Housing	Yes	Yes	Yes	No	No	Yes	Yes, annually	No minimum for sexual harassment, 5 for other bases
Colorado Civil Rights Division	Housed in Dept. of Regulatory Agencies	Yes	Yes	Yes	Yes	No	Yes, annually	No minimum
Connecticut Commission on Human Rights & Opportunities	Housed in Dept. of Administrative Services	Yes	Yes	Yes, in front of human rights referees	Yes, via human rights referees	Yes, by appeal from a human rights referee	Yes, annually	3
Delaware Office of Human Rights	Housed in Dept. of Labor, Division of Industrial Affairs	Yes	Yes	No	No	Yes	No	15 for disability, 4 for other bases
District of Columbia Office of Human Rights	Yes	Yes	Yes	Yes, via Commission on Human Rights	Yes, via Commission on Human Rights	No	Yes, annually	No minimum
Florida Commission on Human Relations	Yes	Yes	Yes	Yes	Yes	Yes, via Attorney General	Yes, annually	15

<sup>3</sup> Please note that this minimum number may not apply to all types of discrimination or bases for discrimination under state law. Source: Workplace Fairness, "Discrimination Claims – State Laws," available at <https://www.workplacefairness.org/minimum> (last accessed Oct. 8, 2019).

State Agency	Is the agency independent?	Does the agency investigate complaints?	Does the agency conciliate or mediate claims?	Does the agency hold hearings on claims?	Can the agency order relief?	Does the agency litigate claims?	Does the agency have reporting requirements?	What is the minimum # of employees for a state law private suit?
Georgia Commission on Equal Opportunity	Housed in Office of the Governor	Yes	Yes	Yes, via Special Master	Yes, via Special Master	No	No	No private cause of action
Hawaii Civil Rights Commission	Yes	Yes	Yes	Yes	Yes	No	Yes, annually	No minimum
Idaho Commission on Human Rights	Yes	Yes	Yes	No	No	Yes	Yes, annually	5
Illinois Human Rights Commission & Dept. of Human Rights	Yes	Yes	Yes	Yes (Commission)	Yes (Commission)	No	Yes, annually	No minimum for sexual harassment, pregnancy, physical or mental handicap discrimination, and retaliation; 15 for other bases
Indiana Civil Rights Commission	Yes	Yes	Yes	Yes	Yes	No	No	6
Iowa Civil Rights Commission	Yes	Yes	Yes	Yes	Yes	Yes	Yes, annually	4
Kansas Human Rights Commission	Yes	Yes	Yes (through KS Legal Services)	Yes	Yes	No	Yes, annually	5
Kentucky Commission on Human Rights	Yes	Yes	Yes	Yes	Yes	No	Yes, annually	8
Louisiana Commission on Human Rights	Housed in Office of the Governor	Yes	Yes	Yes	Yes	No	Yes, annually	20

State Agency	Is the agency independent?	Does the agency investigate complaints?	Does the agency conciliate or mediate claims?	Does the agency hold hearings on claims?	Can the agency order relief?	Does the agency litigate claims?	Does the agency have reporting requirements?	What is the minimum # of employees for a state law private suit?
Maine Human Rights Commission	Yes	Yes	Yes	No	No	Yes	Yes, annually	No minimum for claim, but damages may be limited under 15 employees
Maryland Commission on Civil Rights	Yes	Yes	Yes	No	No	Yes	Yes, annually	Varies by county
Massachusetts Commission Against Discrimination	Yes	Yes	Yes	Yes	Yes	No, but either party may request judicial determination in place of hearing	Yes, annually	6
Michigan Commission & Department of Civil Rights	Yes	Yes	Yes	Yes	Yes	No	Yes, annually	No minimum
Minnesota Department of Human Rights	Yes	Yes	Yes	Yes, before administrative law judge	Yes, from administrative law judge	Yes	Yes, annually	No minimum
Missouri Commission on Human Rights	Housed in Dept. of Labor	Yes	Yes	Yes	Yes	No, though Asst. Attorney General presents charge at hearing	Yes, annually	No private cause of action
Montana Human Rights Bureau & Commission	Housed in Dept. of Labor & Industry	Yes	Yes	Yes (Commission)	Yes (Commission)	No	No	No minimum
Nebraska Equal Opportunity Commission	Yes	Yes	Yes	Yes	Yes	No	Yes, biennially	15
Nevada Equal Rights Commission	Housed in Dept. of Employment, Training & REHAB	Yes	Yes	Yes	Yes	No	Yes, biennially	15
New Hampshire Commission for Human Rights	Yes	Yes	Yes	Yes	Yes	No	Yes, biennially	6

State Agency	Is the agency independent?	Does the agency investigate complaints?	Does the agency conciliate or mediate claims?	Does the agency hold hearings on claims?	Can the agency order relief?	Does the agency litigate claims?	Does the agency have reporting requirements?	What is the minimum # of employees for a state law private suit?
New Jersey Division on Civil Rights	Housed in Office of the Attorney General	Yes	Yes	Yes, via the Office of Administrative Law	Yes, via the Office of Administrative Law	Yes	No	No minimum
New Mexico Human Rights Bureau & Commission	Housed in Dept. of Workforce Solutions	Yes	Yes	Yes	Yes	No	Yes, annually	4
New York Division of Human Rights	Yes	Yes	Yes	Yes	Yes	No	Yes, annually	4
North Carolina Human Relations Commission	Housed in Office of Administrative Hearings	Yes	Yes	Yes, via Administrative Law Judge	Yes, via Administrative Law Judge	No	No	No private cause of action, but can file a wrongful termination in violation of public policy claim in state court with fewer than 15 employees
North Dakota Department of Labor Division of Human Rights	Yes	Yes	Yes	Yes	Yes	No	Yes, biennially	No minimum
Ohio Civil Rights Commission	Yes	Yes	Yes	Yes	Yes	No, but Attorney General represents commission at hearings	Yes, annually	4 for a lawsuit, can file a wrongful termination in violation of public policy claim in state court with fewer than 4 employees
Oklahoma Civil Rights Enforcement Unit	Housed in Office of the Attorney General	Yes	Yes	Yes	Yes	Yes	Yes, annually	15
Oregon Civil Rights Division	Housed in Bureau of Labor & Industries	Yes	Yes	Yes	Yes	No	No	No minimum
Pennsylvania Human Relations Commission	Housed in the Office of the Governor	Yes	Yes	Yes	Yes	Yes, via Attorney General	Yes, annually	4

State Agency	Is the agency independent?	Does the agency investigate complaints?	Does the agency conciliate or mediate claims?	Does the agency hold hearings on claims?	Can the agency order relief?	Does the agency litigate claims?	Does the agency have reporting requirements?	What is the minimum # of employees for a state law private suit?
Rhode Island Commission for Human Rights	Yes	Yes	Yes	Yes	Yes	No	Yes, annually	4
South Carolina Human Affairs Commission	Housed in the executive department	Yes	Yes	Yes	Yes	Yes	Yes, annually	15
South Dakota Division of Human Rights	Housed in Department of Commerce & Regulation	Yes	Yes	Yes	Yes	No	No, although caseload reports are published	No minimum
Tennessee Human Rights Commission	Yes	Yes	Yes	Yes	Yes	No	No	8
Texas Civil Rights Division	Housed in Texas Workforce Commission	Yes	Yes	No	No	Yes	Yes, annually	15
Utah Anti Discrimination and Labor Division	Housed in Utah Labor Commission	Yes	Yes	Yes	Yes	No	Yes, annually	15
Vermont Human Rights Commission	Yes	Yes	Yes	No	No	Yes	Yes, annually	No minimum
Virginia Division of Human Rights	House in Office of the Attorney General	Yes	Yes	Yes	No	No	No	6

State Agency	Is the agency independent?	Does the agency investigate complaints?	Does the agency conciliate or mediate claims?	Does the agency hold hearings on claims?	Can the agency order relief?	Does the agency litigate claims?	Does the agency have reporting requirements?	What is the minimum # of employees for a state law private suit?
Washington State Human Rights Commission	Yes	Yes	Yes	Yes, via administrative law judge	Yes, via administrative law judge	Yes, if complainant with probable cause finding requests trial instead of administrative law judge hearing	Yes, biennially	No minimum for wage discrimination, 8 for other bases
West Virginia Human Rights Commission	Yes	Yes	Yes	Yes, via administrative law judge	Yes, via administrative law judge	No	Yes, annually	15 for state law suit, can file a wrongful termination in violation of public policy claim in state court with fewer than 15 employees
Wisconsin Equal Rights Division	Housed in Dept. of Workforce Development	Yes	Yes	Yes, via administrative law judge	Yes, via administrative law judge	No	Yes, no time frame	No minimum
Wyoming Department of Employment	Yes	Yes	No	Yes	Yes	No	No	2



DISCRIMINATION  
DISGUISED AS RELIGIOUS  
LIBERTY IS STILL  
DISCRIMINATION

Decorative elements on the sign include pink hearts with arrows, purple scribbled rectangles, and a rainbow-colored 'D' at the start of the bottom line.

# Discrimination Claim Review – Summary

The ACLU of Virginia received 389 intakes regarding employment discrimination between June 3, 2013 and Sept. 15, 2019. We analyzed these intakes to produce a summary of their content. We did not evaluate the merits of any claims; we reported solely on the substance of the intake. The review identified 61 intakes that were inaccurately categorized or failed to articulate a claim, so this analysis will be conducted on 328 entries. The intakes were self-selected, coming from members of the community who were seeking assistance from the ACLU of Virginia for their claims.

The intake notes have been entered under various operating procedures, so the documents and case notations from which the information was pulled varied in their completeness. As a result, throughout the dataset, there are “unknowns” and “unspecified” records for several entries. The Type and Basis categories were sourced from the Equal Employment Opportunity Commission to maintain standard verbiage.



# Discrimination Claim Review – Findings

## Intakes by Type/Basis

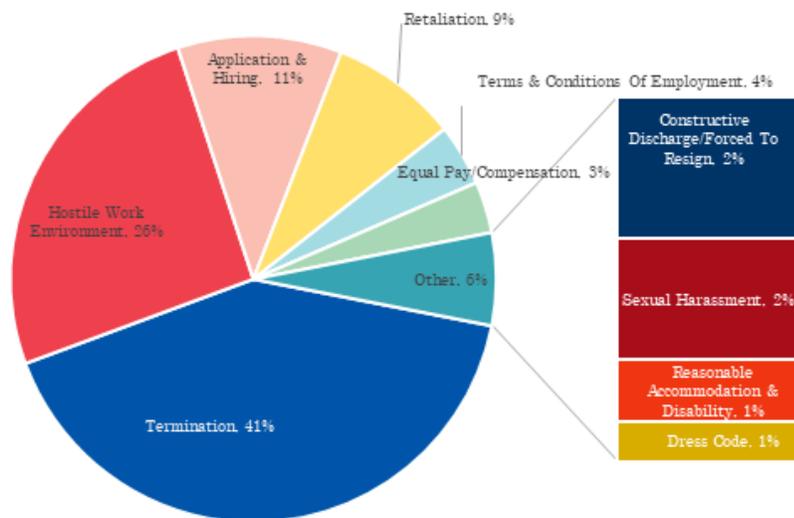


FIGURE 1-INTAKES BY TYPE

In reviewing the data, we found 65 intakes that claimed discriminatory behavior but didn't articulate a basis, and 35 that claimed membership in a protected class, but did not specify the nature of the discrimination they faced. As a result, the 263 intakes were categorized by type and 293 by basis.

The most common type of discrimination faced was termination, usually after a period of harassment. The most prevalent bases for termination were race and medical issues. While this will be discussed later in this report, as these are self-selected sources, this review has demonstrated the need for a multi-tiered classification system to capture the intersections of economics, race, and healthcare to uncover the scale and depth of not only termination of protected classes of workers, but also employers creating hostile work environments.

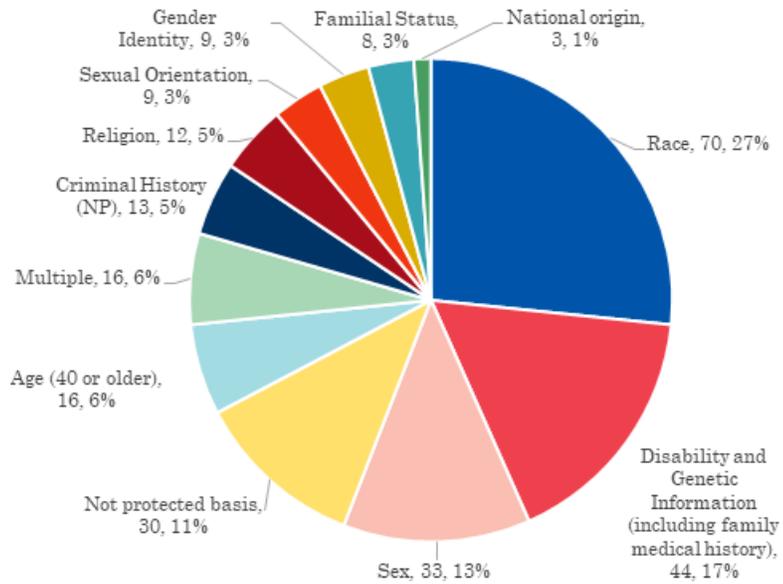


FIGURE 2-INTAKES BY BASIS

The prevalent bases for discrimination in toto were similar to those who were terminated, with race, disability, and sex accounting for 57% of total claims. The “multiple” category refers to those who expressly claimed having been discriminated against for being members of multiple protected classes. A stronger reporting mechanism and data collection framework may have yielded more data points to facilitate a stronger multivariate analysis that could better identify intersecting and

### Challenging Workplace Discrimination in Courts

The ACLU of Virginia has filed an employment discrimination lawsuit under the Virginia Human Rights Act on behalf of two black women who claim they were fired from a concierge medical practice in Richmond because of their race. Our clients Titilayo Shiyanbade (right) and Tyesha Brooks (left) were told they were being terminated because of “culture changes” in the office. The firings came after months of racially charged comments and incidents. Both were replaced with white employees the day following their termination.



coincident trends.

### Intakes by Location

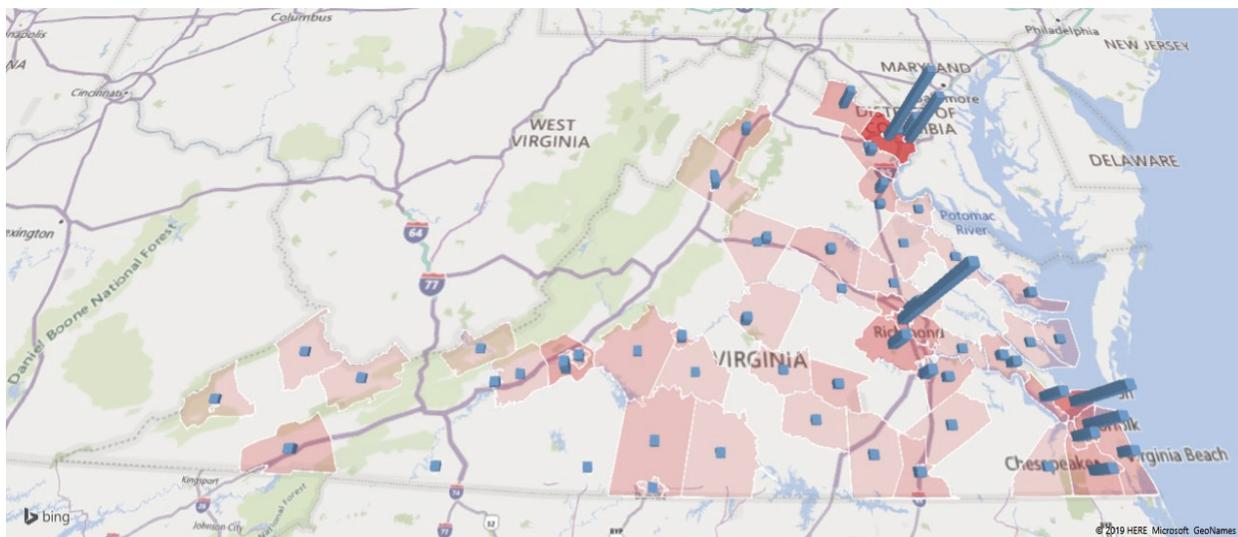


FIGURE 3-INTAKES BY LOCATION

The locations from which we received intakes were in line with expectations, with the majority originating in the most populated areas of the Commonwealth: Northern Virginia, the Richmond Metro Area, and Hampton Roads. The reviewers attempted to determine whether the intake source was an hourly or salaried worker. Given that this question was not specifically asked, there is considerable margin of error. There were 93 intakes for which it was impossible to determine, to there were 235 intakes categorized. As Figure 4 demonstrates, there were a higher proportion of intakes from salaried positions in the more populated areas. More notable is that from less populated areas, the intakes received were largely from salaried workers, indicating, with caveats, a higher incidence of reporting from more highly paid, established workers.

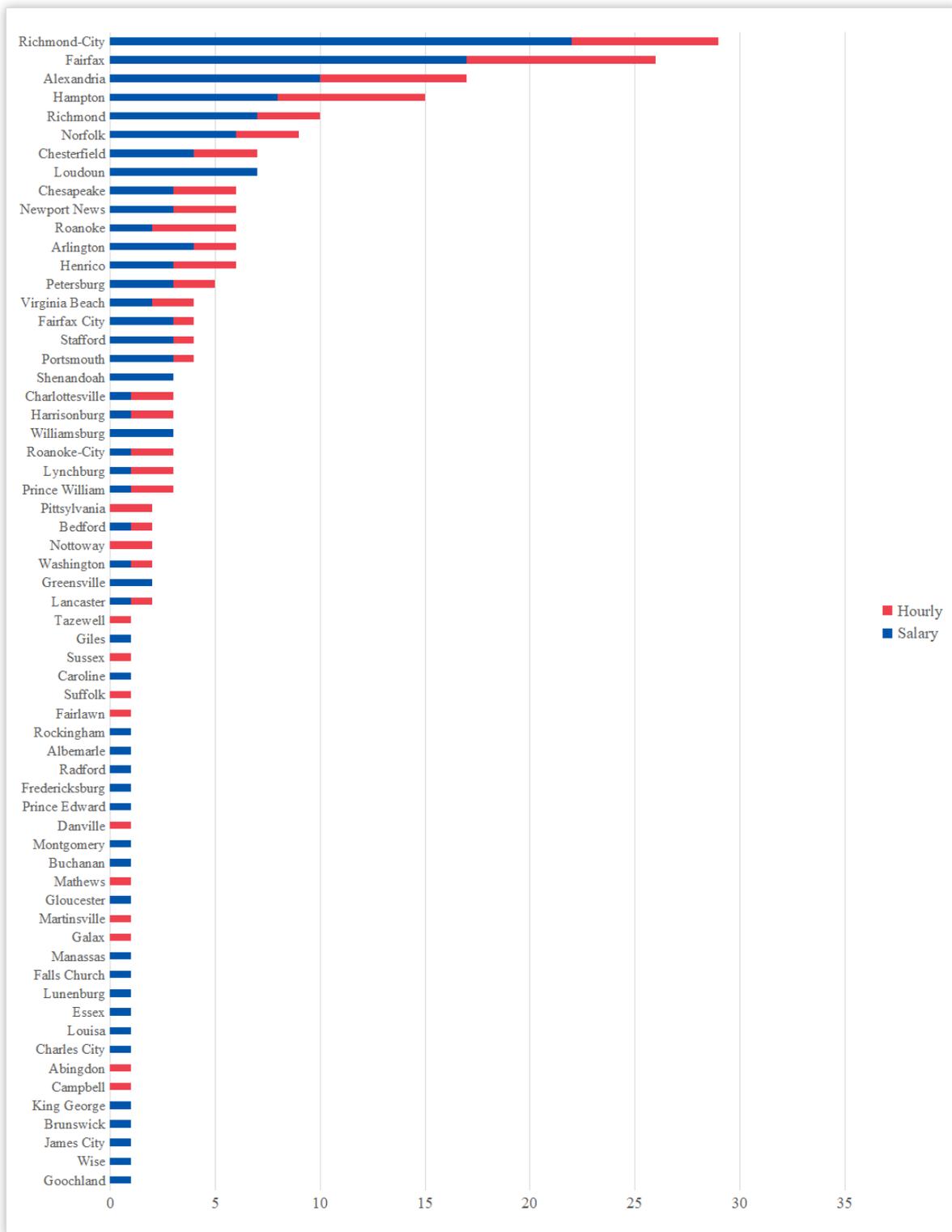


FIGURE 4- INTAKES BY LOCATION AND PAY TYPE

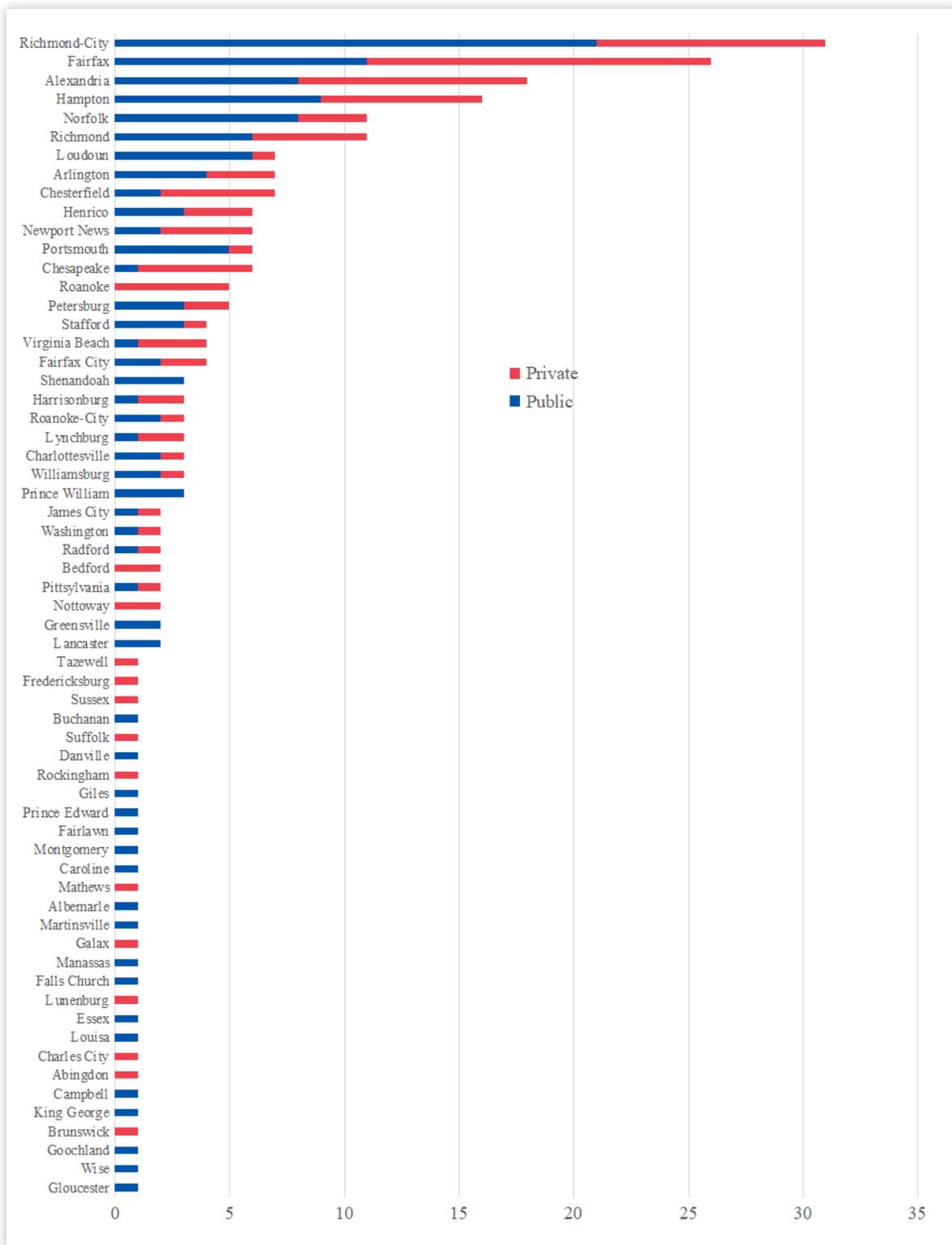


FIGURE 5-INTAKES BY LOCATION AND SECTOR

## Intakes by Industry/Sector

### Sector

Of the 328 intakes reviewed, there were 51 for which the sector or industry was unidentifiable. This section will analyze the 277 intakes with identifiable sectors. Across both public and private sectors, the relative occurrence of all types and bases of discrimination was nearly identical, with a few exceptions. Racial discrimination was 15% higher in the public sector, and hostile work environments were more common in the private sector.

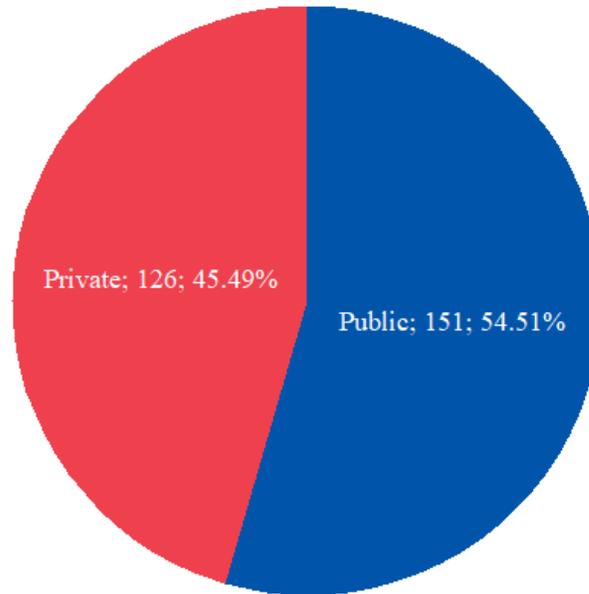


FIGURE 6-INTAKES BY SECTOR

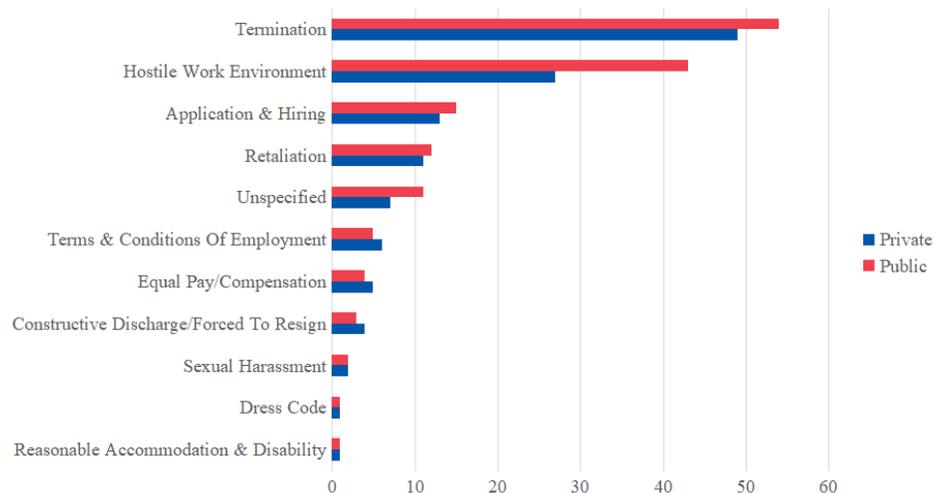


FIGURE 7-INTAKES BY TYPE AND SECTOR

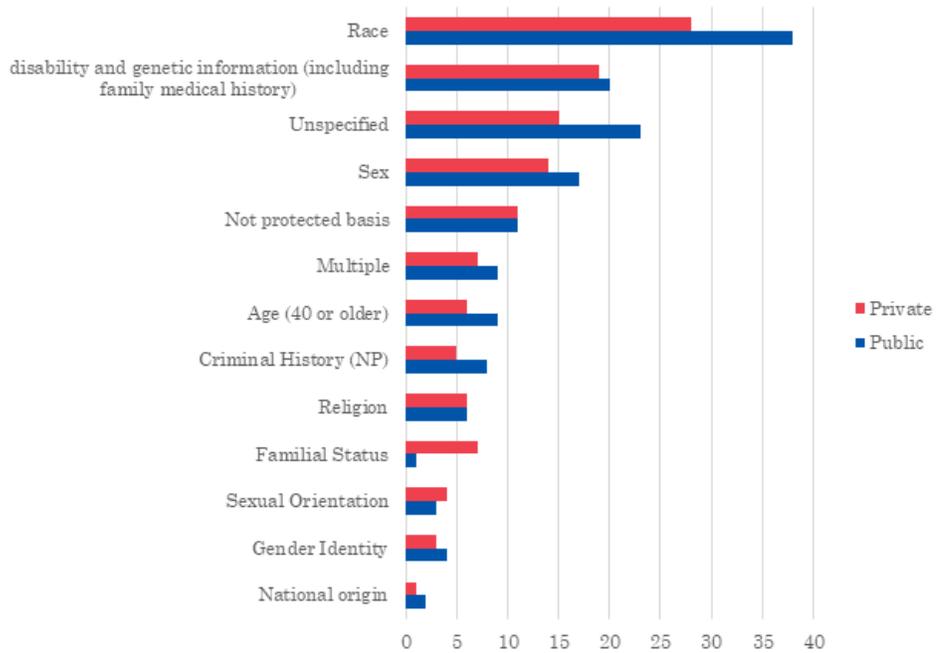


FIGURE 8- INTAKES BY SECTOR

### Industry

The industries that generated the greatest number of intakes were education, healthcare, and food service predominantly from teachers, nurses, and servers. Within those industries, race was a dominant basis for discrimination, most often, through hostile treatment or termination. There are several figures in this section. The first two, Figures 9 and 10, show intakes by industry and basis and type respectively. Figures 11-14, under their own heading, separate the public and private sectors and show the intakes by industry and counted by type/basis.

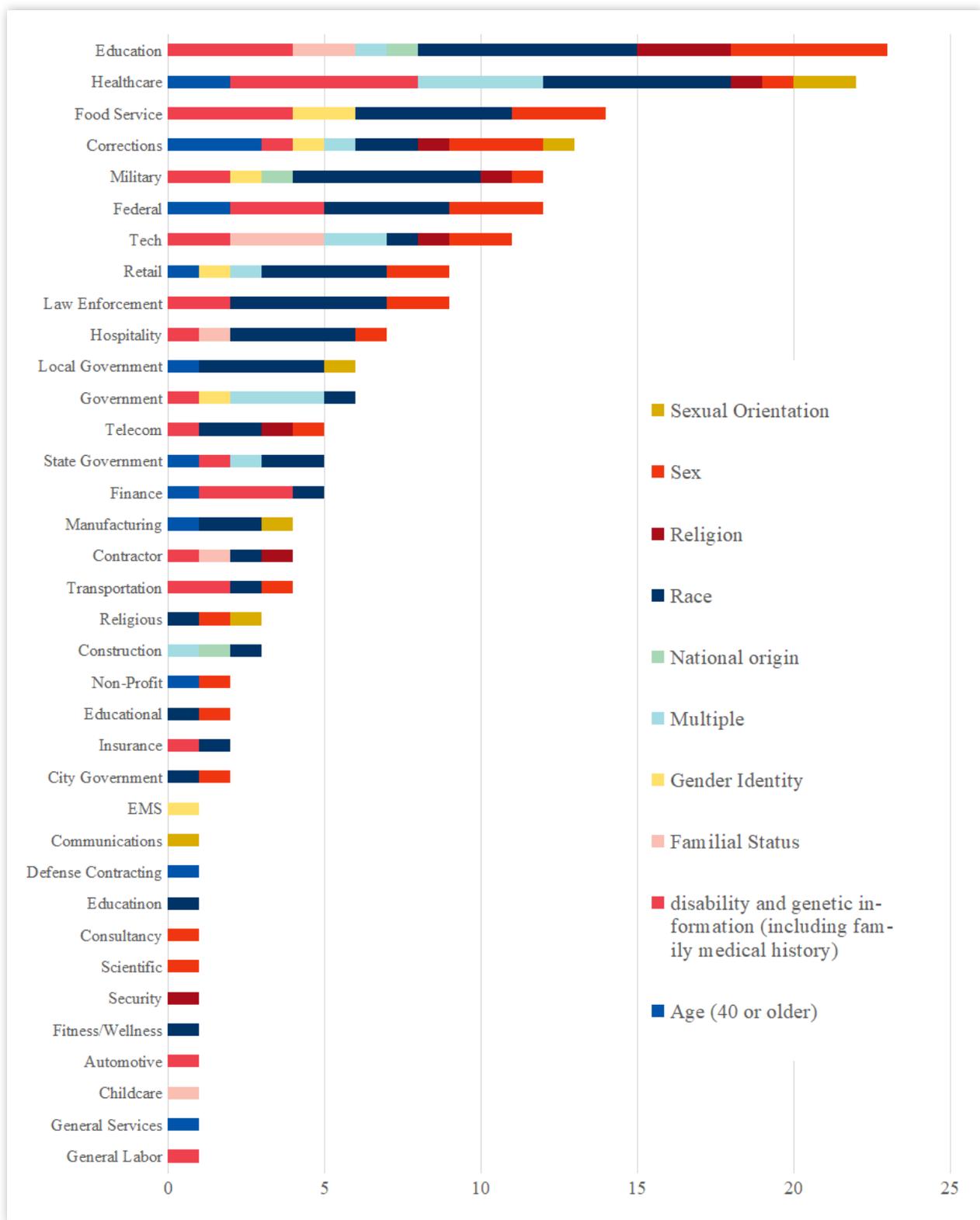


FIGURE 9- INTAKES BY INDUSTRY AND BASIS

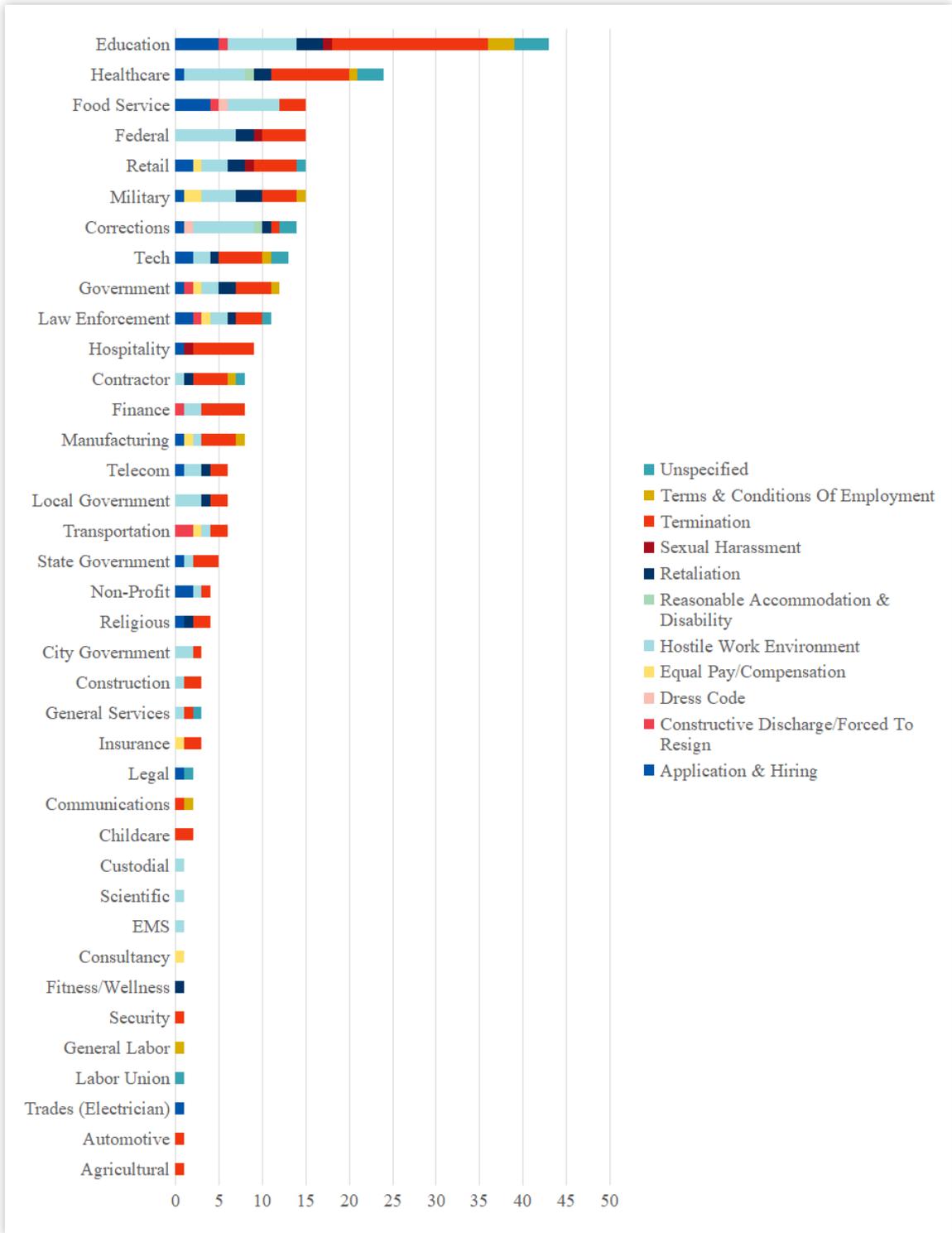


FIGURE 10- INTAKES BY INDUSTRY AND TYPE

## Sector and Industry

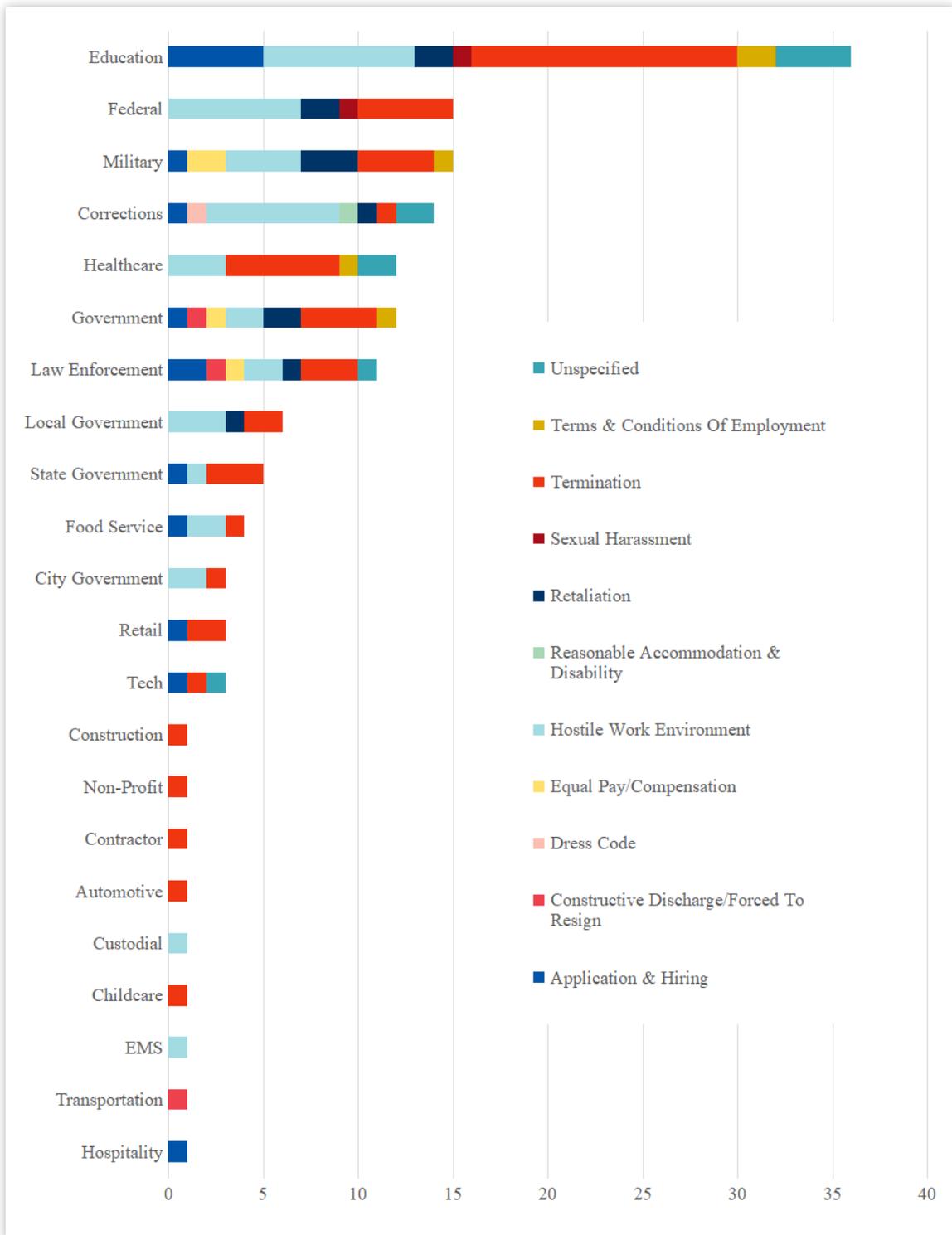


FIGURE 11- PUBLIC SECTOR INDUSTRIES BY TYPE

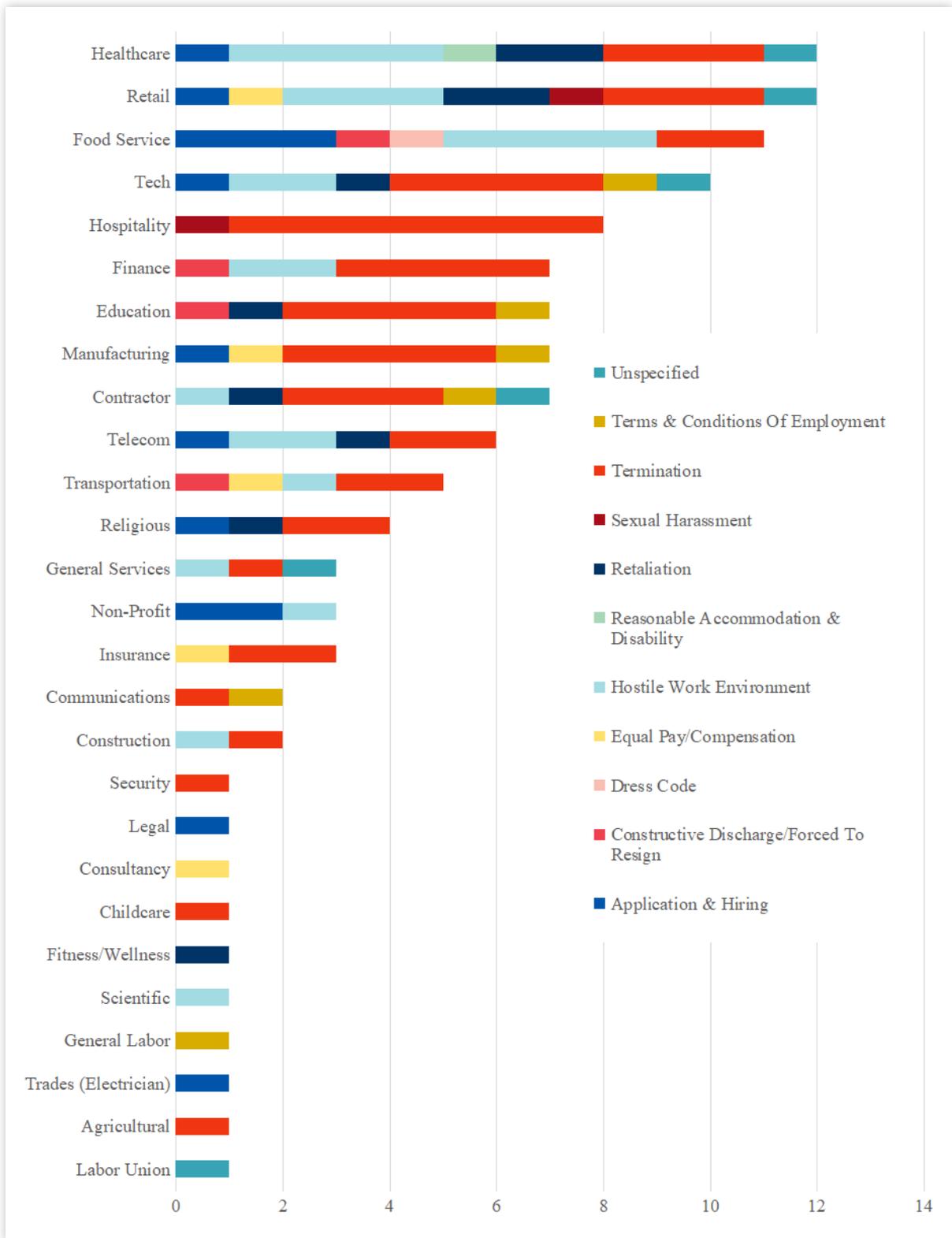


FIGURE 12- PRIVATE SECTOR INDUSTRIES BY TYPE

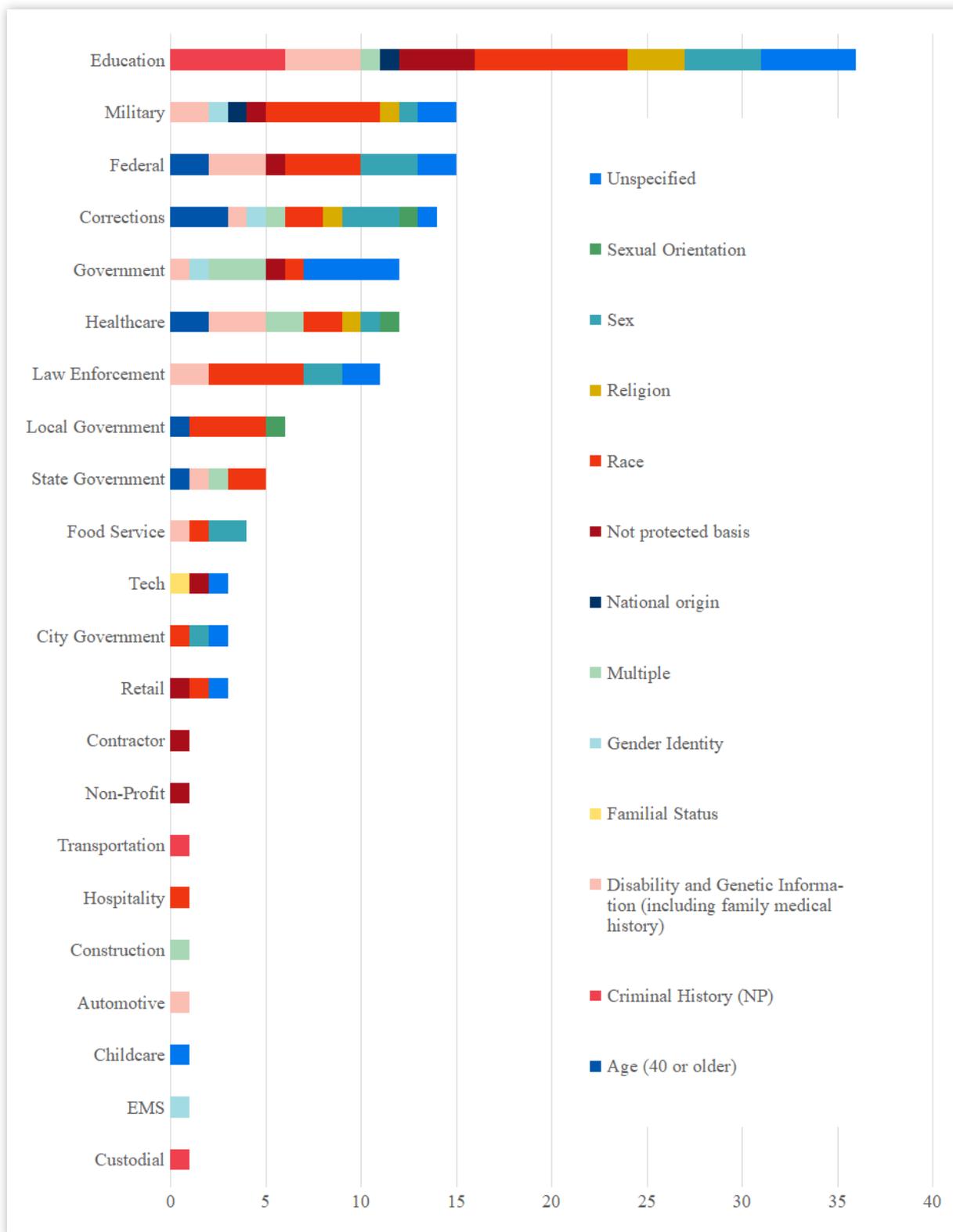


FIGURE 13- PUBLIC SECTOR INDUSTRIES BY BASIS

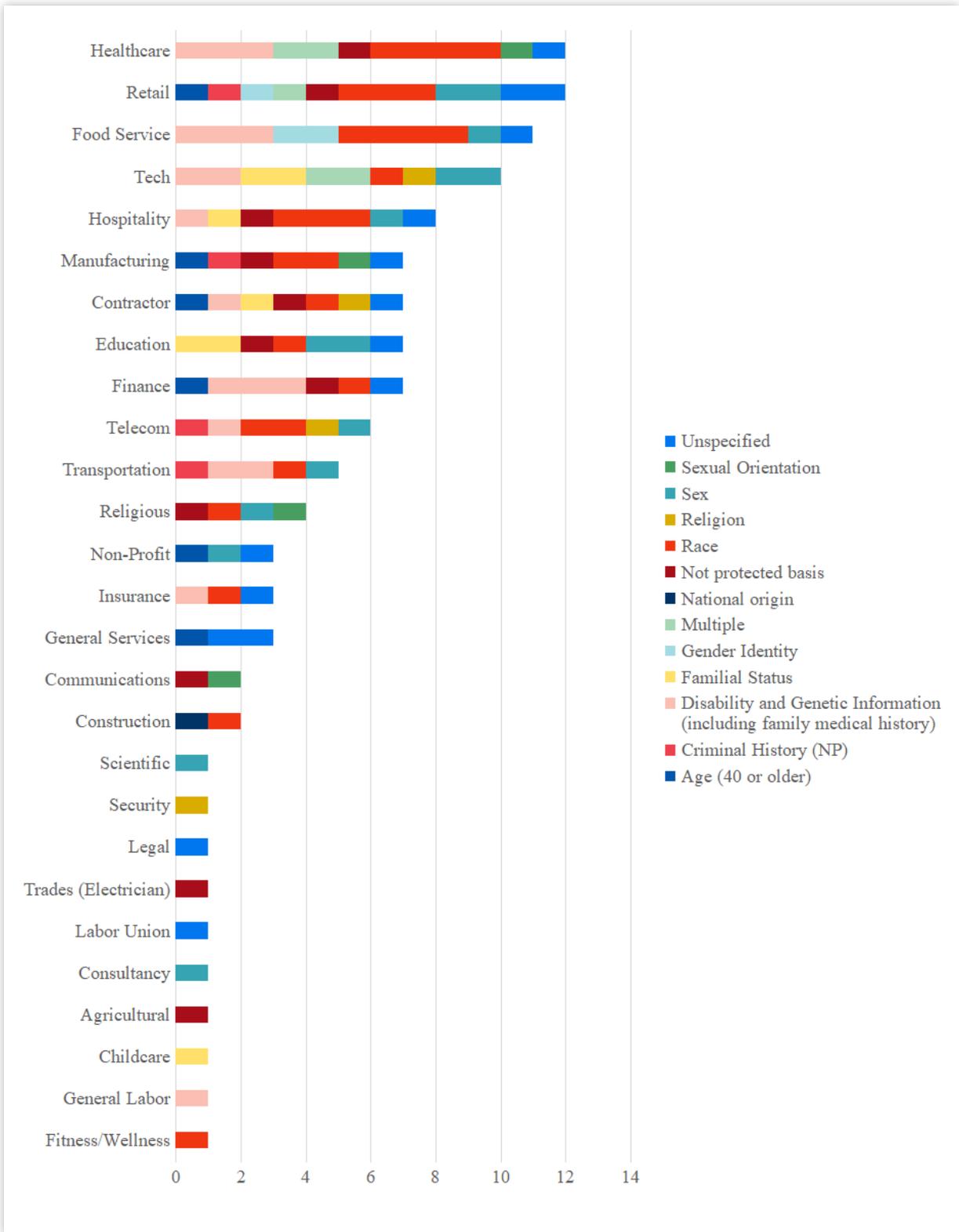


FIGURE 14- PRIVATE SECTOR INDUSTRIES BY BASIS

## Conclusion

The focus of this report was not to come to any evidence-backed conclusions, but to report the results of a review of data collected over several years of intakes. As the sample size is too small to be able to draw any quantifiable conclusions, it is helpful to view statewide discrimination claims on a wider scale. A broader randomized analysis of Equal Employment Opportunity Commission (EEOC) and state claims with an appropriate sample size would help with fundamentally understanding the discrimination faced by workers and developing evidence-based strategies to combat it.

There are several recommendations that would facilitate this analysis, other data collection projects, and advocacy efforts:

1. Standardization of variables and a consistent evaluation framework.
2. Availability of anonymized claim data and forms on public databases.
3. Standardization of EEOC and state forms to align data points across jurisdictions.
4. Clear instructions and guidance documents attached to reporting forms to reduce reporting errors.

While no single measure will eradicate discrimination, understanding the underlying mechanisms will allow advocates to better target their efforts, reducing redundancies and enhancing accountability for discriminatory behavior. Other sections of this report will discuss policy recommendations based on this research and an analysis of federal and state anti-discrimination regulations.

WOMEN | LGBTQ+ | BLACK | BROWN | LATINX  
LGBT | BLACK | BROWN | WHITE  
DISABLED | MEN | TRANS | MUSLIM  
ASIAN | IMMIGRANT | TRANS | LGBT  
MEN | NATIVE AMERICAN | LATINX  
BLACK  
QUEER  
JEWISH  
WOMEN  
LATINX  
MUSLIM  
BLACK  
MEN  
TRANS  
LATINX  
WOMEN  
ASIAN  
LGBT  
MEN  
LATINX  
QUEER  
WOMEN  
JEWISH  
NATIVE AMERICAN | MEN | LATINX  
IMMIGRANT | CHRISTIAN | ASIAN  
DISABLED | MEN | TRANS | MUSLIM  
QUEER | LATINX | TRANS | LGBT  
MEN | IMMIGRANT | WOMEN | LATINX  
BLACK | BROWN | WHITE | **ALL OF US**

# WE THE PEOPLE

# ACLU



PHOTO: GEORGE FLODAN/PHOTO.COM/PICTURES

# Tables

## Type/Basis

### Intakes by Type

Termination	121
Hostile Work Environment	75
Unspecified	35
Application & Hiring	32
Retaliation	25
Terms & Conditions Of Employment	12
Equal Pay/Compensation	10
Constructive Discharge/Forced To Resign	7
Sexual Harassment	6
Reasonable Accommodation & Disability	3
Dress Code	2
<b>Grand Total</b>	<b>328</b>

### Intakes by Basis

Race	70
Disability and Genetic Information (including family medical history)	44
Sex	33
Not protected basis	30
Age (40 or older)	16
Multiple	16
Criminal History (NP)	13
Religion	12
Sexual Orientation	9
Gender Identity	9
Familial Status	8
National origin	3
<b>Grand Total</b>	<b>263</b>

## Intakes by Type and Basis

<b>Termination</b>	<b>121</b>
Age (40 or older)	9
Criminal History (NP)	5
Disability and Genetic Information (including family medical history)	20
Familial Status	5
Gender Identity	3
Multiple	3
National origin	3
Not protected basis	18
Race	22
Religion	3
Sex	5
Sexual Orientation	4
Unspecified	21
<b>Hostile Work Environment</b>	<b>75</b>
Age (40 or older)	2
Criminal History (NP)	2
Disability and Genetic Information (including family medical history)	9
Gender Identity	4
Multiple	7
Not protected basis	2
Race	24
Religion	3
Sex	15
Unspecified	7
<b>Unspecified</b>	<b>35</b>
Age (40 or older)	1
Disability and Genetic Information (including family medical history)	3
Familial Status	1
Gender Identity	1
Multiple	2
Not protected basis	3
Race	3
Sexual Orientation	1
Unspecified	20
<b>Application &amp; Hiring</b>	<b>32</b>
Age (40 or older)	2
Criminal History (NP)	5

Disability and Genetic Information (including family medical history)	4
Gender Identity	1
Multiple	1
Not protected basis	3
Race	7
Religion	1
Sexual Orientation	2
Unspecified	6
<b>Retaliation</b>	<b>25</b>
Age (40 or older)	1
Disability and Genetic Information (including family medical history)	2
Multiple	2
Not protected basis	3
Race	4
Religion	1
Sex	4
Sexual Orientation	1
Unspecified	7
<b>Terms &amp; Conditions Of Employment</b>	<b>12</b>
Disability and Genetic Information (including family medical history)	1
Familial Status	2
Not protected basis	1
Race	2
Religion	3
Sex	1
Unspecified	2
<b>Equal Pay/Compensation</b>	<b>10</b>
Age (40 or older)	1
Race	5
Sex	3
Unspecified	1
<b>Constructive Discharge/Forced To Resign</b>	<b>7</b>
Criminal History (NP)	1
Disability and Genetic Information (including family medical history)	3
Multiple	1
Race	1
Unspecified	1
<b>Sexual Harassment</b>	<b>6</b>
Sex	5

Sexual Orientation	1
<b>Reasonable Accommodation &amp; Disability</b>	<b>3</b>
Disability and Genetic Information (including family medical history)	2
Religion	1
<b>Dress Code</b>	<b>2</b>
Race	2
<b>Grand Total</b>	<b>328</b>

## Location

### Intakes by Location (County)

Richmond-City	33
Fairfax	26
Alexandria	18
Hampton	17
Richmond	11
Norfolk	11
Chesterfield	8
Roanoke	7
Arlington	7
Henrico	7
Newport News	7
Loudoun	7
Chesapeake	6
Portsmouth	6
Petersburg	5
Fairfax City	4
Virginia Beach	4
Stafford	4
Roanoke-City	3
Charlottesville	3
Harrisonburg	3
Shenandoah	3
Williamsburg	3
Prince William	3
Lynchburg	3
Louisa	2
Bedford	2
Washington	2
Radford	2
Pittsylvania	2

Greensville	2
Prince George	2
James City	2
Fredericksburg	2
Nottoway	2
Lancaster	2
Hanover	1
Sussex	1
Rockingham	1
Manassas	1
Lunenburg	1
Martinsville	1
Danville	1
Mathews	1
Abingdon	1
Montgomery	1
Campbell	1
Falls Church	1
Fairlawn	1
Charles City	1
Buchanan	1
Galax	1
Essex	1
Giles	1
King George	1
Gloucester	1
Suffolk	1
Goochland	1
Tazewell	1
Prince Edward	1
Caroline	1
Albemarle	1
Wise	1
Halifax	1
Brunswick	1
<b>Grand Total</b>	<b>260</b>

## Intakes by Location and Pay Type

County	Hourly	Salary	Total
Richmond-City	7	22	29
Fairfax	9	17	26
Alexandria	7	10	17
Hampton	7	8	15
Richmond	3	7	10
Norfolk	3	6	9
Chesterfield	3	4	7
Loudoun		7	7
Arlington	2	4	6
Roanoke	4	2	6
Chesapeake	3	3	6
Henrico	3	3	6
Newport News	3	3	6
Petersburg	2	3	5
Fairfax City	1	3	4
Stafford	1	3	4
Portsmouth	1	3	4
Virginia Beach	2	2	4
Roanoke-City	2	1	3
Williamsburg		3	3
Shenandoah		3	3
Prince William	2	1	3
Harrisonburg	2	1	3
Charlottesville	2	1	3
Lynchburg	2	1	3
Bedford	1	1	2
Nottoway	2		2
Washington	1	1	2
Greensville		2	2
Pittsylvania	2		2
Lancaster	1	1	2
Danville	1		1
Buchanan		1	1
Charles City		1	1
Louisa		1	1
James City		1	1
Lunenburg		1	1
Gloucester		1	1

Essex		1	1
Rockingham		1	1
Manassas		1	1
Sussex	1		1
Martinsville	1		1
Abingdon	1		1
Mathews	1		1
Radford		1	1
Montgomery		1	1
Goochland		1	1
Campbell	1		1
Albemarle		1	1
Caroline		1	1
Brunswick		1	1
Fairlawn	1		1
Suffolk	1		1
Falls Church		1	1
Tazewell	1		1
Fredericksburg		1	1
King George		1	1
Galax	1		1
Wise		1	1
Prince Edward		1	1
Giles		1	1
<b>Grand Total</b>	<b>88</b>	<b>147</b>	<b>235</b>

## Sector/Industry

### Intakes by Sector, Type, and Basis

<b>Private</b>	<b>126</b>
<b>Termination</b>	<b>49</b>
Age (40 or older)	3
Criminal History (NP)	2
Disability and Genetic Information (including family medical history)	5
Familial Status	5
Gender Identity	1
National origin	1
Not protected basis	7
Race	9
Religion	3
Sex	4
Sexual Orientation	3

Unspecified	6
<b>Hostile Work Environment</b>	<b>27</b>
Disability and Genetic Information (including family medical history)	7
Gender Identity	1
Multiple	3
Not protected basis	1
Race	7
Religion	2
Sex	5
Unspecified	1
<b>Application &amp; Hiring</b>	<b>13</b>
Age (40 or older)	1
Criminal History (NP)	3
Disability and Genetic Information (including family medical history)	1
Gender Identity	1
Multiple	1
Not protected basis	1
Race	2
Sexual Orientation	1
Unspecified	2
<b>Retaliation</b>	<b>11</b>
Disability and Genetic Information (including family medical history)	1
Multiple	2
Race	3
Religion	1
Sex	2
Unspecified	2
<b>Unspecified</b>	<b>7</b>
Age (40 or older)	1
Disability and Genetic Information (including family medical history)	1
Multiple	1
Not protected basis	1
Unspecified	3
<b>Terms &amp; Conditions Of Employment</b>	<b>6</b>
Disability and Genetic Information (including family medical history)	1
Familial Status	2
Not protected basis	1
Race	2
<b>Equal Pay/Compensation</b>	<b>5</b>
Age (40 or older)	1
Race	3
Sex	1

<b>Constructive Discharge/Forced To Resign</b>	<b>4</b>
Disability and Genetic Information (including family medical history)	2
Race	1
Unspecified	1
<b>Sexual Harassment</b>	<b>2</b>
Sex	2
<b>Dress Code</b>	<b>1</b>
Race	1
<b>Reasonable Accommodation &amp; Disability</b>	<b>1</b>
Disability and Genetic Information (including family medical history)	1
<b>Public</b>	<b>151</b>
<b>Termination</b>	<b>54</b>
Age (40 or older)	5
Criminal History (NP)	3
Disability and Genetic Information (including family medical history)	13
Gender Identity	1
Multiple	3
National origin	2
Not protected basis	6
Race	11
Sex	1
Sexual Orientation	1
Unspecified	8
<b>Hostile Work Environment</b>	<b>43</b>
Age (40 or older)	2
Criminal History (NP)	2
Disability and Genetic Information (including family medical history)	1
Gender Identity	3
Multiple	4
Not protected basis	1
Race	16
Religion	1
Sex	10
Unspecified	3
<b>Application &amp; Hiring</b>	<b>15</b>
Age (40 or older)	1
Criminal History (NP)	2
Disability and Genetic Information (including family medical history)	2
Not protected basis	1
Race	5
Religion	1
Unspecified	3

<b>Retaliation</b>	<b>12</b>
Age (40 or older)	1
Disability and Genetic Information (including family medical history)	1
Not protected basis	3
Race	1
Sex	2
Sexual Orientation	1
Unspecified	3
<b>Unspecified</b>	<b>11</b>
Disability and Genetic Information (including family medical history)	2
Familial Status	1
Multiple	1
Race	2
Sexual Orientation	1
Unspecified	4
<b>Terms &amp; Conditions Of Employment</b>	<b>5</b>
Religion	3
Sex	1
Unspecified	1
<b>Equal Pay/Compensation</b>	<b>4</b>
Race	2
Sex	1
Unspecified	1
<b>Constructive Discharge/Forced To Resign</b>	<b>3</b>
Criminal History (NP)	1
Disability and Genetic Information (including family medical history)	1
Multiple	1
<b>Sexual Harassment</b>	<b>2</b>
Sex	2
<b>Dress Code</b>	<b>1</b>
Race	1
<b>Reasonable Accommodation &amp; Disability</b>	<b>1</b>
Religion	1
(blank)	51
<b>Termination</b>	<b>18</b>
Age (40 or older)	1
Disability and Genetic Information (including family medical history)	2
Gender Identity	1
Not protected basis	5
Race	2
Unspecified	7
<b>Unspecified</b>	<b>17</b>

Gender Identity	1
Not protected basis	2
Race	1
Unspecified	13
<b>Hostile Work Environment</b>	<b>5</b>
Disability and Genetic Information (including family medical history)	1
Race	1
Unspecified	3
<b>Application &amp; Hiring</b>	<b>4</b>
Disability and Genetic Information (including family medical history)	1
Not protected basis	1
Sexual Orientation	1
Unspecified	1
<b>Sexual Harassment</b>	<b>2</b>
Sex	1
Sexual Orientation	1
<b>Retaliation</b>	<b>2</b>
Unspecified	2
<b>Equal Pay/Compensation</b>	<b>1</b>
Sex	1
<b>Reasonable Accommodation &amp; Disability</b>	<b>1</b>
Disability and Genetic Information (including family medical history)	1
<b>Terms &amp; Conditions Of Employment</b>	<b>1</b>
Unspecified	1
<b>Grand Total</b>	<b>328</b>

### Intakes by Locality and Sector sorted by Total less Unknowns

Locality	Private	Public	Total
Richmond-City	10	21	31
Fairfax	15	11	26
Alexandria	10	8	18
Hampton	7	9	16
Norfolk	3	8	11
Richmond	5	6	11
Arlington	3	4	7

Chesterfield	5	2	7
Loudoun	1	6	7
Chesapeake	5	1	6
Newport News	4	2	6
Henrico	3	3	6
Portsmouth	1	5	6
Roanoke	5		5
Petersburg	2	3	5
Stafford	1	3	4
Virginia Beach	3	1	4
Fairfax City	2	2	4
Roanoke-City	1	2	3
Prince William		3	3
Shenandoah		3	3
Charlottesville	1	2	3
Williamsburg	1	2	3
Harrisonburg	2	1	3
Lynchburg	2	1	3
Bedford	2		2
Nottoway	2		2
Radford	1	1	2
Pittsylvania	1	1	2
Washington	1	1	2
James City	1	1	2
Greensville		2	2
Lancaster		2	2
Charles City	1		1
Sussex	1		1
Rockingham	1		1
Campbell		1	1
Louisa		1	1
Manassas		1	1
Brunswick	1		1
Martinsville		1	1
King George		1	1
Mathews	1		1
Abingdon	1		1
Montgomery		1	1
Lunenburg	1		1
Caroline		1	1
Albemarle		1	1
Fairlawn		1	1

Buchanan		1	1
Falls Church		1	1
Danville		1	1
Fredericksburg	1		1
Suffolk	1		1
Galax	1		1
Tazewell	1		1
Giles		1	1
Essex		1	1
Prince Edward		1	1
Wise		1	1
Gloucester		1	1
Goochland		1	1
<b>Grand Total</b>	<b>111</b>	<b>135</b>	<b>246</b>

### Intakes by Sector and Type

Type	Public	Private	Grand Total
Termination	54	49	103
Hostile Work Environment	43	27	70
Application & Hiring	15	13	28
Retaliation	12	11	23
Unspecified	11	7	18
Terms & Conditions Of Employment	5	6	11
Equal Pay/Compensation	4	5	9
Constructive Discharge/Forced To Resign	3	4	7
Sexual Harassment	2	2	4
Dress Code	1	1	2
Reasonable Accommodation & Disability	1	1	2
<b>Grand Total</b>	<b>151</b>	<b>126</b>	<b>277</b>

### Intakes by Sector and Basis

Basis	Public	Private	Grand Total
National origin	2	1	3
Gender Identity	4	3	7
Sexual Orientation	3	4	7
Familial Status	1	7	8
Religion	6	6	12
Criminal History (NP)	8	5	13
Age (40 or older)	9	6	15
Multiple	9	7	16
Not protected basis	11	11	22

Sex	17	14	31
Unspecified	23	15	38
disability and genetic information (including family medical history)	20	19	39
Race	38	28	66
<b>Grand Total</b>	<b>151</b>	<b>126</b>	<b>277</b>

## Intakes by Industry and Type

### Industry by Type

<b>Agricultural</b>	<b>1</b>
Termination	1
<b>Automotive</b>	<b>1</b>
Termination	1
<b>Trades (Electrician)</b>	<b>1</b>
Application & Hiring	1
<b>Labor Union</b>	<b>1</b>
Unspecified	1
<b>General Labor</b>	<b>1</b>
Terms & Conditions Of Employment	1
<b>Security</b>	<b>1</b>
Termination	1
<b>Fitness/Wellness</b>	<b>1</b>
Retaliation	1
<b>Consultancy</b>	<b>1</b>
Equal Pay/Compensation	1
<b>EMS</b>	<b>1</b>
Hostile Work Environment	1
<b>Scientific</b>	<b>1</b>
Hostile Work Environment	1
<b>Custodial</b>	<b>1</b>
Hostile Work Environment	1
<b>Childcare</b>	<b>2</b>
Termination	2
<b>Communications</b>	<b>2</b>
Termination	1
Terms & Conditions Of Employment	1
<b>Legal</b>	<b>2</b>
Application & Hiring	1
Unspecified	1
<b>Insurance</b>	<b>3</b>
Equal Pay/Compensation	1

Termination	2
<b>General Services</b>	<b>3</b>
Hostile Work Environment	1
Termination	1
Unspecified	1
<b>Construction</b>	<b>3</b>
Hostile Work Environment	1
Termination	2
<b>City Government</b>	<b>3</b>
Hostile Work Environment	2
Termination	1
<b>Religious</b>	<b>4</b>
Application & Hiring	1
Retaliation	1
Termination	2
<b>Non-Profit</b>	<b>4</b>
Application & Hiring	2
Hostile Work Environment	1
Termination	1
<b>State Government</b>	<b>5</b>
Application & Hiring	1
Hostile Work Environment	1
Termination	3
<b>Transportation</b>	<b>6</b>
Constructive Discharge/Forced To Resign	2
Equal Pay/Compensation	1
Hostile Work Environment	1
Termination	2
<b>Local Government</b>	<b>6</b>
Hostile Work Environment	3
Retaliation	1
Termination	2
<b>Telecom</b>	<b>6</b>
Application & Hiring	1
Hostile Work Environment	2
Retaliation	1
Termination	2
<b>Manufacturing</b>	<b>8</b>
Application & Hiring	1
Equal Pay/Compensation	1
Hostile Work Environment	1
Termination	4

Terms & Conditions Of Employment	1
<b>Finance</b>	<b>8</b>
Constructive Discharge/Forced To Resign	1
Hostile Work Environment	2
Termination	5
<b>Contractor</b>	<b>8</b>
Hostile Work Environment	1
Retaliation	1
Termination	4
Terms & Conditions Of Employment	1
Unspecified	1
<b>Hospitality</b>	<b>9</b>
Application & Hiring	1
Sexual Harassment	1
Termination	7
<b>Law Enforcement</b>	<b>11</b>
Application & Hiring	2
Constructive Discharge/Forced To Resign	1
Equal Pay/Compensation	1
Hostile Work Environment	2
Retaliation	1
Termination	3
Unspecified	1
<b>Government</b>	<b>12</b>
Application & Hiring	1
Constructive Discharge/Forced To Resign	1
Equal Pay/Compensation	1
Hostile Work Environment	2
Retaliation	2
Termination	4
Terms & Conditions Of Employment	1
<b>Tech</b>	<b>13</b>
Application & Hiring	2
Hostile Work Environment	2
Retaliation	1
Termination	5
Terms & Conditions Of Employment	1
Unspecified	2
<b>Corrections</b>	<b>14</b>
Application & Hiring	1
Dress Code	1
Hostile Work Environment	7

Reasonable Accommodation & Disability	1
Retaliation	1
Termination	1
Unspecified	2
<b>Military</b>	<b>15</b>
Application & Hiring	1
Equal Pay/Compensation	2
Hostile Work Environment	4
Retaliation	3
Termination	4
Terms & Conditions Of Employment	1
<b>Retail</b>	<b>15</b>
Application & Hiring	2
Equal Pay/Compensation	1
Hostile Work Environment	3
Retaliation	2
Sexual Harassment	1
Termination	5
Unspecified	1
<b>Federal</b>	<b>15</b>
Hostile Work Environment	7
Retaliation	2
Sexual Harassment	1
Termination	5
<b>Food Service</b>	<b>15</b>
Application & Hiring	4
Constructive Discharge/Forced To Resign	1
Dress Code	1
Hostile Work Environment	6
Termination	3
<b>Healthcare</b>	<b>24</b>
Application & Hiring	1
Hostile Work Environment	7
Reasonable Accommodation & Disability	1
Retaliation	2
Termination	9
Terms & Conditions Of Employment	1
Unspecified	3
<b>Education</b>	<b>43</b>
Application & Hiring	5
Constructive Discharge/Forced To Resign	1
Hostile Work Environment	8

Retaliation	3
Sexual Harassment	1
Termination	18
Terms & Conditions Of Employment	3
Unspecified	4
<b>Grand Total</b>	<b>270</b>

### Industry by Basis

<b>Agricultural</b>	<b>1</b>
Termination	1
<b>Automotive</b>	<b>1</b>
Termination	1
<b>Trades (Electrician)</b>	<b>1</b>
Application & Hiring	1
<b>Labor Union</b>	<b>1</b>
Unspecified	1
<b>General Labor</b>	<b>1</b>
Terms & Conditions Of Employment	1
<b>Security</b>	<b>1</b>
Termination	1
<b>Fitness/Wellness</b>	<b>1</b>
Retaliation	1
<b>Consultancy</b>	<b>1</b>
Equal Pay/Compensation	1
<b>EMS</b>	<b>1</b>
Hostile Work Environment	1
<b>Scientific</b>	<b>1</b>
Hostile Work Environment	1
<b>Custodial</b>	<b>1</b>
Hostile Work Environment	1
<b>Childcare</b>	<b>2</b>
Termination	2
<b>Communications</b>	<b>2</b>
Termination	1
Terms & Conditions Of Employment	1
<b>Legal</b>	<b>2</b>
Application & Hiring	1
Unspecified	1
<b>Insurance</b>	<b>3</b>
Equal Pay/Compensation	1
Termination	2
<b>General Services</b>	<b>3</b>

Hostile Work Environment	1
Termination	1
Unspecified	1
<b>Construction</b>	<b>3</b>
Hostile Work Environment	1
Termination	2
<b>City Government</b>	<b>3</b>
Hostile Work Environment	2
Termination	1
<b>Religious</b>	<b>4</b>
Application & Hiring	1
Retaliation	1
Termination	2
<b>Non-Profit</b>	<b>4</b>
Application & Hiring	2
Hostile Work Environment	1
Termination	1
<b>State Government</b>	<b>5</b>
Application & Hiring	1
Hostile Work Environment	1
Termination	3
<b>Transportation</b>	<b>6</b>
Constructive Discharge/Forced To Resign	2
Equal Pay/Compensation	1
Hostile Work Environment	1
Termination	2
<b>Local Government</b>	<b>6</b>
Hostile Work Environment	3
Retaliation	1
Termination	2
<b>Telecom</b>	<b>6</b>
Application & Hiring	1
Hostile Work Environment	2
Retaliation	1
Termination	2
<b>Manufacturing</b>	<b>8</b>
Application & Hiring	1
Equal Pay/Compensation	1
Hostile Work Environment	1
Termination	4
Terms & Conditions Of Employment	1
<b>Finance</b>	<b>8</b>

Constructive Discharge/Forced To Resign	1
Hostile Work Environment	2
Termination	5
<b>Contractor</b>	<b>8</b>
Hostile Work Environment	1
Retaliation	1
Termination	4
Terms & Conditions Of Employment	1
Unspecified	1
<b>Hospitality</b>	<b>9</b>
Application & Hiring	1
Sexual Harassment	1
Termination	7
<b>Law Enforcement</b>	<b>11</b>
Application & Hiring	2
Constructive Discharge/Forced To Resign	1
Equal Pay/Compensation	1
Hostile Work Environment	2
Retaliation	1
Termination	3
Unspecified	1
<b>Government</b>	<b>12</b>
Application & Hiring	1
Constructive Discharge/Forced To Resign	1
Equal Pay/Compensation	1
Hostile Work Environment	2
Retaliation	2
Termination	4
Terms & Conditions Of Employment	1
<b>Tech</b>	<b>13</b>
Application & Hiring	2
Hostile Work Environment	2
Retaliation	1
Termination	5
Terms & Conditions Of Employment	1
Unspecified	2
<b>Corrections</b>	<b>14</b>
Application & Hiring	1
Dress Code	1
Hostile Work Environment	7
Reasonable Accommodation & Disability	1
Retaliation	1

Termination	1
Unspecified	2
<b>Military</b>	<b>15</b>
Application & Hiring	1
Equal Pay/Compensation	2
Hostile Work Environment	4
Retaliation	3
Termination	4
Terms & Conditions Of Employment	1
<b>Retail</b>	<b>15</b>
Application & Hiring	2
Equal Pay/Compensation	1
Hostile Work Environment	3
Retaliation	2
Sexual Harassment	1
Termination	5
Unspecified	1
<b>Federal</b>	<b>15</b>
Hostile Work Environment	7
Retaliation	2
Sexual Harassment	1
Termination	5
<b>Food Service</b>	<b>15</b>
Application & Hiring	4
Constructive Discharge/Forced To Resign	1
Dress Code	1
Hostile Work Environment	6
Termination	3
<b>Healthcare</b>	<b>24</b>
Application & Hiring	1
Hostile Work Environment	7
Reasonable Accommodation & Disability	1
Retaliation	2
Termination	9
Terms & Conditions Of Employment	1
Unspecified	3
<b>Education</b>	<b>43</b>
Application & Hiring	5
Constructive Discharge/Forced To Resign	1
Hostile Work Environment	8
Retaliation	3
Sexual Harassment	1

Termination	18
Terms & Conditions Of Employment	3
Unspecified	4
<b>Grand Total</b>	<b>270</b>

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