

Civil Rights Act of 1871

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Published in *Blackwell encyclopedia of management*, p. 53

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VOLUME V

THE BLACKWELL
ENCYCLOPEDIA
OF MANAGEMENT
SECOND EDITION

HUMAN RESOURCE
MANAGEMENT

Edited by

SUSAN CARTWRIGHT

First edition edited by

LAWRENCE H. PETERS, CHARLES R. GREER,
and STUART A. YOUNGBLOOD



Blackwell
Publishing

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Christine Neylon O'Brien

This Reconstruction-era law (Sedmak and Vidas, 1994) provides relief for individuals who have been deprived of constitutional or federal statutory rights by a state or local government official (Estreicher and Harper, 1990). Such lawsuits are often referred to as section 1983 cases because section 1 of the 1871 statute is codified as section 1983 of Title 42 of the United States Code. Passage of the statute followed ratification of the FOURTEENTH CONSTITUTIONAL AMENDMENT in 1868, and state action or involvement in the challenged practices is required (Schlei and Grossman, 1983). The bases for DISCRIMINATION that are actionable under section 1983 are broader than those prohibited under section 1981, the CIVIL RIGHTS ACT OF 1866.

Bibliography

- Estreicher, S. and Harper, M. (1990). *The Law Governing the Employment Relationship*. St. Paul, MN: West Publishing.
- Schlei, B. L. and Grossman, P. (1983). *Employment Discrimination Law*. Washington, DC: Bureau of National Affairs.
- Sedmak, N. J. and Vidas, C. (1994). *Primer on Equal Employment Opportunity*. Washington, DC: Bureau of National Affairs.