

(a) It shall be an unlawful employment practice for an employer -

(1) . . . to discriminate against any individual with relation to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) To limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

42 U.S.C. Section 2000(e-5) (f) (1) further provides that if a charge is filed with the Equal Employment Opportunity Commission (hereinafter "EEOC"), and the EEOC dismisses the charge, the complainant has ninety (90) days after the receipt of such EEOC notice of dismissal to bring a civil action against the employer named in the charge.

With regard to Plaintiff's burden of proof, Plaintiff must demonstrate that the Defendant intended to discriminate against Plaintiff on the basis of his national origin. This discrimination can be shown from the "disparate treatment" that Defendant Envirodyne Engineers employed when it treated Plaintiff less favorably than other employees because of Plaintiff's national origin. Clay v. Consumer Programs, Inc., 576 F. Supp.