

Protected Class Definitions

The university prohibits discrimination/harassment toward individuals of the university community.

Protected class is defined by federal law/executive order, federal agencies, or Cleveland State University policy. The protected classes include race, sex (including pregnancy), religion, color, age, national origin, veteran and/or military status, genetic information, or disability and discrimination/harassment toward individuals for other reasons such as sexual orientation, gender identity and/or expression, marital status or parental status.

These definitions are for reference only, as people seek to understand what the protected classes are and how they relate to discrimination and harassment. When conduct is reported to the Office for Institutional Equity it will be assessed on an individualized basis.

Age: For purposes of these policies, age in the employment context means a person over the age of 40.

Color: Pigmentation, complexion, skin shade or tone.

Disability: A physical or mental impairment that substantially limits one or more of the major life activities of an individual or a record of such impairment or being regarded as having such an impairment. The impairment can be a disability even if episodic or in remission. Examples of a major life activity that may be substantially limited may include but is not limited to walking, talking, seeing, hearing, or learning, or operation of a major bodily/mental function. For more information, visit: <https://www.eeoc.gov/disability-discrimination>

Ethnicity: Shared attributes of a group people who identify with each other that distinguish them from other groups such as a common set of traditions, ancestry, language, history, society, culture, nation, religion, or social treatment within their residing area.

Gender/Gender Identity or Expression: Gender is the identity and expression of socially constructed characteristics often associated with men and women. Gender is on a spectrum,

so there are other gender options than man and woman, such as agender, bigender, genderfluid, genderqueer, gender non-conforming, non-binary, questioning/unsure, trans man, trans woman, and two spirit. Gender identity is who a person knows themselves to be and how they identify. Gender expression is how a person presents gender to other people; it is outward-facing and how they present themselves to others/how others perceive them based on gender norms.

Genetic information: Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history). For more information, visit: <https://www.eeoc.gov/genetic-information-discrimination>

Military Status: Any person who has past, current, or future membership, service, or obligation in a uniformed service.

National origin: Being from or perceived as from a particular country or part of the world. National origin also includes accent and language. For more information, visit: <https://www.eeoc.gov/laws/guidance/eeoc-enforcement-guidance-national-origin-discrimination>

Pregnancy: a person containing a developing embryo, fetus, or unborn offspring in the body. Pregnancy also includes childbirth, false pregnancy, termination of pregnancy, lactation, and related conditions as well as the recovery therefrom.

Protected Veteran Status: As defined under the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), someone who served in active military, discharged or released under conditions other than dishonorable, and meet one of the four groups: disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces service medal veteran. For more information, visit: https://www.dol.gov/sites/dolgov/files/ofccp/posters/Infographics/files/ProtectedVet-2016-11x17_ENGESQA508c.pdf

Race: Physical characteristics associated with people regarded of the same ancestry (e.g. hair texture, skin color, or certain facial features).

Religion: Sincerely held religious (a system of faith or worship) beliefs or lack thereof, which may include particular clothing, holiday/prayer observation, or personal attributes based upon religion (e.g. tattoos, piercings, facial hair). Examples of religion include but are not limited to: Agnosticism, Atheism, Buddhism, Christianity, Hinduism, Islam, and Judaism.

Sex: Biological makeup, including genitalia, genetic differences, and sex characteristics. Typically, sex includes male, female, and intersex. Under the laws of discrimination and harassment, the phrase “because of sex” also includes gender or sexual orientation (see other terms).

Sexual orientation: A person’s physical, romantic, sexual, and/or emotional attraction to others or lack thereof. Sexual orientation may include but is not limited to gay, lesbian, bisexual, pansexual, asexual.

To view the Non-Discrimination, Harassment, and Sexual Misconduct policy, please visit <https://www.csuohio.edu/institutional-equity/institutional-equity>

Please Note: Some situations could involve behavior based on multiple protected classes.

Examples:

- Experiences of antisemitism could fall within protected classes such as religion, ethnicity, or national origin. Cleveland State University has adopted the IHRA definition of antisemitism in accordance with Executive Order 2022-06D: *“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*

- Experiences of ageism could intersect with disability, veteran status or marital status.
- Experiences of transphobia could fall within sex, sexual orientation, gender, gender identity and/or expression, depending on the specific conduct.

The Office for Institutional Equity will review individual circumstances and assess the intersectionality presented in allegations of harassment and/or discrimination.