

Protected Class Definitions

Protected class is defined by federal law/executive order, federal agencies, or Pennsylvania state policy. The protected classes include: age, ancestry, color, disability, ethnicity, gender, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, pregnancy, race, religion, sex, sexual orientation, or veteran status, or any other bases under the law.

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 of Justice, Equity and Inclusion 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. For more information, visit: <https://www.eeoc.gov/statutes/age-discrimination-employment-act-1967>

Ancestry: A person's caste, country, nation, tribe, or other identifiable group of people from which a person descends. It can also refer to common physical, cultural or linguistic characteristics of an individual's ancestors. For more information, visit: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?txtType=HTM&yr=1955&sessInd=0&act=0222.&chpt=000.&subchpt=000.&sctn=000.&subsctn=000>

Color: Pigmentation, complexion, skin shade or tone. For more information, visit: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?txtType=HTM&yr=1955&sessInd=0&act=0222.&chpt=000.&subchpt=000.&sctn=000.&subsctn=000>

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. For more information, visit: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?txtType=HTM&yr=1955&sessInd=0&act=0222.&chpt=000.&subchpt=000.&sctn=000.&subsctn=000>

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

[service-members-and-veterans#:~:text=Two%20federal%20laws%20prohibit%20discrimination,past%2C%20and%20future%20military%20service.](#)

Race: physical characteristics associated with people regarded of the same ancestry (e.g. hair texture, skin color, or certain facial features). For more information, visit: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?txtType=HTM&yr=1955&sessInd=0&act=0222.&chpt=000.&subchpt=000.&sctn=000.&subctn=000>

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. For more information, visit: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?txtType=HTM&yr=1955&sessInd=0&act=0222.&chpt=000.&subchpt=000.&sctn=000.&subctn=000>

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). For more information, visit: <https://www.pa.gov/en/agencies/phrc/legal-resources/policy-and-law.html>

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. For more information, visit: <https://www.pa.gov/en/agencies/phrc/legal-resources/policy-and-law.html>

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.
- Experiences of ablism could touch on disability, age, or veteran status.
- Experiences of transphobia could fall within sex, sexual orientation, gender, gender identity and/or expression, depending on the specific conduct.