

MENU

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Center for the Prevention of Harassment and Discrimination (/hr/cphd)

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Discrimination, Harassment and Retaliation

Discrimination

As defined by CSU Executive Order [1096](https://calstate.policystat.com/policy/8453514/latest/) and [1097](https://calstate.policystat.com/policy/8453516/latest/), **discrimination** means adverse action¹ taken against an employee, student, or third party by the CSU, a CSU employee, or a student, because of a protected status².

Harassment

As defined by CSU Executive Order [1096](https://calstate.policystat.com/policy/8453514/latest/) and [1097](https://calstate.policystat.com/policy/8453516/latest/), **harassment** means unwelcome conduct, based on the complainant's protected status², that is sufficiently severe, persistent, or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the complainant, and is in fact considered by the complainant, as limiting their ability to participate in or benefit from the services, activities, or opportunities offered by the university.

Harassment includes, but is not limited to, verbal harassment (e.g., epithets, derogatory comments, or slurs), physical harassment (e.g., assault, impeding or blocking movement, or any physical interference with normal work or movement), and visual forms of harassment (e.g., derogatory posters, cartoons, drawings, symbols, or gestures.)

Retaliation

As defined by CSU Executive Order [1096](https://calstate.policystat.com/policy/8453514/latest/) and [1097](https://calstate.policystat.com/policy/8453516/latest/), **retaliation** means adverse action¹ taken against a person because the person has or is believed to have:

1. Exercised rights under this executive order;
2. Reported or opposed conduct which was reasonably and in good faith believed to be in violation of this executive order;
3. Assisted or participated in a policy-related investigation/proceeding regardless of whether the complaint was substantiated; or,
4. Assisted someone in reporting or opposing a violation of this executive order, or assisted someone in reporting or opposing retaliation under this executive order.

Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

¹**Adverse Action:** is an action that has a substantial and material adverse effect on the complainant's employment or ability to participate in a university program or activity free from discrimination, harassment and retaliation. Minor or trivial actions or conduct not reasonably likely to do more than anger or upset a complainant does not constitute an adverse action.

²**Protected Status:** includes age, disability (physical or mental), gender (or sex), genetic information, gender identity (including transgender), gender expression, marital status, medical condition, nationality, race or ethnicity (including color or ancestry), religion or religious creed, sexual orientation, and veteran or military status.

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