Glossary of Terms

ADA: Americans with Disabilities Act

ADEA: Age Discrimination in Employment Act

Affirmative action: Affirmative action includes policies and procedures to which an employer commits itself that are designed to achieve equal employment opportunity.

Difference in impact: This concept describes discrimination that occurs when a treatment that appears equal on the surface has a different impact on different groups of people—and there is no real business reason for it.

Difference in treatment: This concept describes discrimination that occurs when people in similar situations are treated differently because of a non-work related reason, such as race, color, religion, sex, national origin, age or disability.

EEO: Equal Employment Opportunity

EEOC: The U.S. Equal Employment Opportunity Commission

Employment actions: This term covers a wide range of work-related activity. It includes hiring, firing, job assignments, promotions, transfers and discipline. It also covers work-related actions that affect an employee's ability to perform his or her job or that affect work relationships.
**Hostile environment:** A hostile environment is created when one or more persons engage in conduct that is considered unwelcome and offensive.

**Impairment:** Conditions that affect certain body systems, including the neurological or musculoskeletal systems, special sense organs, respiratory, cardiovascular, reproductive, digestive, genito-urinary, hemic, lymphatic, or endocrine systems, or the skin. Impairments also include mental or psychological conditions, including mental retardation, organic brain syndrome, emotional or mental illness, and certain learning disorders. Physical characteristics (such as left-handedness); common personality traits (such as being irresponsible or showing poor judgment); cultural, environmental, or economic disadvantages; homosexuality; bisexuality; pregnancy; and normal deviations in height, weight, or strength are not impairments. Traits like irritability and chronic lateness are not themselves impairments.

**Quid pro quo harassment:** Quid pro quo ("this for that") harassment involves a request or demand for sexual favors in exchange for a tangible job or educational benefit. It may be expressed or implied.

**Retaliation:** An action taken by an employer that has a negative impact on an employee—such as firing—because the employee has complained about/claimed wrongdoing by the employer or another employee or has participated in the investigation of a complaint of discrimination.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when this conduct is so severe, persistent or pervasive that it:

- Explicitly or implicitly affects an individual's employment
- Unreasonably interferes with an individual's work or educational performance
  - OR -
- Creates an intimidating, hostile, or offensive work or educational environment

**TWC:** Texas Workforce Commission