

Human Rights Section

Protected Classifications for Discrimination Fact Sheet

Unlawful Discrimination occurs when one's rights are infringed upon based on a protected classification identified under federal, state and local law.

The **Broward County Human Rights Ordinance** protects individuals from unlawful discrimination in employment (employer with 5 - 14 employees), housing and public accommodations.

Areas of discrimination under the jurisdiction of the Broward County Human Rights Act

Employment: Jurisdiction over employment-related complaints alleging race, color, religion, sex, national origin, age, disability, or pregnancy is limited to employers with 5-14 employees. Complaints against employers with more than 15 employees must be filed with the Equal Employment Opportunity Commission or with the Florida Commission on Human Relations. Employment-related complaints alleging sexual orientation, marital status, political affiliation, gender identity or expression and pregnancy, regardless of the number of employees, are handled by the Human Rights Section.

Housing: Unlawful discrimination in housing includes any unequal, differential or disparaging treatment based on the protected categories established under the law that may occur in the sale, rental, occupancy or financing of real estate. *Note: There are specific exclusions that cover some types of dwellings.*

Public Accommodations: Unlawful discrimination under public accommodations refers to denying, withholding, interfering or refusing an individual or group the full and equal enjoyment of goods, services, facilities, privileges, and accommodations based on the protected categories established under the law that may occur in a place of public accommodations, or any establishment (licensed or unlicensed) which supplies goods or services to the public. The law covers any entity which is supported, directly or indirectly, by government funds. *Note: Private establishments are excluded.*

Protected Classifications under the Broward County Human Rights Act

- Age
- Color
- Disability
- Familial Status*
- Gender Identity or Expression
- Marital Status
- National Origin
- Political Affiliation
- Pregnancy
- Race
- Religion
- Retaliation
- Sex
- Sexual Orientation

*Applies ONLY to Housing Discrimination

For more information, contact the Human Rights Section at 954-357-7800 (voice), 954-357-6181 (TTY), or visit broward.org/humanrights.



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This publication can be made available in alternative formats such as Braille, large print text, email or compact disc (CD), upon request, by contacting the Human Rights Section at **954-357-7800** (voice) or **954-357-6181** (TTY). 500 copies of this public document were promulgated at a gross cost of \$247.00, or \$0.494 per copy, to inform the public about protected classifications under the law.

Explanation of Protected Classifications under the Broward County Human Rights Act

Age: Age refers to a person being at least 18 years old. Discrimination based on age is subject to specific exceptions where age limitations are valid, such as housing for older persons and certain apprentice programs in employment where age is a “bona fide occupational qualification” (BFOQ).

Color: Color refers to the hue, pigmentation, complexion, shade or tone of a person’s skin. Discrimination based on color may involve the lightness, darkness or other color-related characteristics of the person and can occur between persons of the same or different race/ethnicity.

Disability: Disability refers to a developmental, physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, walking, seeing, hearing, or learning. A person with a record of and/or regarded as having such an impairment as well as someone who associates with a person who has a known disability are also covered under this category.

Familial Status*: In housing, familial status refers to households that include one or more individuals under the age of 18 residing with a parent or other legal guardian. Any person who is pregnant or those in the process of securing legal custody of a minor are also protected. Discrimination based on familial status includes restrictive rules that discourage families from occupying or interfere with a family’s enjoyment of a home. Individuals cannot file discrimination complaints for employment or public accommodations based on familial status.

Gender Identity or Expression: Gender identity or expression relates to the appearance, expression or behavior of an individual regardless of the individual’s assigned sex at birth.

Marital Status: Marital status refers to the state of being married, single, divorced, widowed, or separated as defined by the state of Florida.

National Origin: National Origin refers to the place or country of origin of an individual or a person’s ancestors, by birth, marriage or adoption. Discrimination based on national origin includes accents and English-only or fluency requirements.

Pregnancy: Pregnancy discrimination involves treating a woman differently, or less favorably, because of pregnancy, childbirth, or a medical condition relating to pregnancy or childbirth. Pregnancy discrimination does not include parental status and does not cover males who are about to become fathers.

*Applies ONLY to Housing Discrimination

Political Affiliation: Political affiliation refers to belonging to or endorsing any political party.

Race: Race refers to a group of people who share the same physical characteristics such as skin tone, hair texture, and facial features. Examples of racial categories are American Indian/Alaska Native, Asian, Black, Native Hawaiian/Pacific Islander and White. The ethnic group Hispanic or Latino also falls under this protected category. Discrimination based on race generally encompasses ancestry, physical characteristics, race-linked illness, culture, perception, and association.

Religion: Religion refers to all aspects of religious observance and practice, as well as a bona fide belief. Discrimination under this category also includes those who do not practice any faith or hold any religious beliefs.

Retaliation: Retaliation refers to any adverse action taken against a covered individual as a result of his/her involvement in a discrimination complaint or investigation. Adverse action includes any methods taken to prevent someone from opposing a discriminatory practice or participating in a discrimination investigation. Examples of adverse action include termination, denial of promotion, threats, unjustified negative references, increased surveillance and any other action, such as an assault or unfounded civil or criminal charges that is likely to deter reasonable person’s from pursuing their rights.

Sex: Sex refers to a person’s status as a male or female where stereotypes and assumptions about an individual’s abilities or traits are considered. Discrimination based on sex includes sexual harassment; any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that create an intimidating, hostile or offensive environment.

Sexual Orientation: Sexual orientation refers to being or perceived as being heterosexual, bisexual, or homosexual. Sexual orientation discrimination also covers individuals who are perceived to be associated with individuals who are heterosexual, bisexual, or homosexual.

Contact us for more information.



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