



# Southeastern Louisiana University

## Harassment & Discrimination Policy

### **Faculty Handbook**

*Part II: Organizational Structure of Southeastern Louisiana University  
Section E.1 Harassment & Discrimination Policy*

### **Classified Employee Handbook**

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### **Unclassified Employee Handbook**

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### **Graduate Assistant Handbook**

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### **Resident Assistant Handbook**

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### **Student Worker Handbook**

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Section E.1 Harassment & Discrimination Policy*

Southeastern Louisiana University is committed to maintaining an environment free from any type of harassment and/or discrimination which is illegal and which will not be tolerated. In furtherance of that commitment, this policy forbids harassment and discrimination of any kind by or against any applicant, employee, student, or any other individual on the basis of race, color, gender, age, religion, national origin, citizenship, disability, sexual orientation, genetic information, retirement or veteran status.

## I. DEFINITIONS

- A. Complaint: Allegations of discrimination and harassment filed in good faith and in accordance with established procedures.
- B. Discrimination: Inequitable treatment of an individual based on one or more of a person's protected characteristics or status rather than individual merit.
- C. Harassment: Unwelcome conduct which is so severe or pervasive that it creates an intimidating, hostile or offensive environment. This conduct may not have to include the intent to harm; it does not have to consist of repeated incident; and it need not be

directed against a specific target. Furthermore it may or may not be directed against an individual based on one or more of a person's protected characteristics or status.

- D. Protected Characteristics/Status: Race, color, gender, religion, sexual orientation, national origin, citizenship, disability, genetic information, age, veteran or retirement status.
- E. Retaliation: Any adverse action taken against an individual as the result of a complaint of discrimination and/or harassment or who may have participated in an investigation of discrimination or harassment, or due to any of the protected conduct and activities as outlined in the Southeastern Louisiana University Policy on Retaliation. Retaliation includes overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy.

## II. PROHIBITED CONDUCT

### A. Discrimination

Discrimination in the workplace or learning environment involves taking adverse action against, or preferential treatment of, an individual because of his or her protected status.

Examples include, but are not limited to:

- Denying or granting promotions or other advancement opportunities based on an individual's protected status;
- Granting preference in education or employment based on an individual's protected status;
- Assigning grades based on an individual's protected status; making work assignments based on an individual's protected status;
- Denial of leave based on an individual's protected status.

### B. Harassment

Harassment in the working or learning environment consists of unwelcome and objectively offensive physical, verbal, or nonverbal conduct that unreasonably interferes with an individual's work or educational activities and/or which creates an intimidating, hostile or offensive working or learning environment.

Examples include, but are not limited to:

- Verbal threats, offensive jokes, epithets, derogatory comments, ridicule or mockery or slurs;
- Gratuitous visual displays such as posters, photographs, cartoons, drawings or gestures;
- Unwanted physical contact such as touching, intimidation or blocking normal movement.

### C. Sexual Harassment

Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

1. Submission to that conduct is made a term or condition of employment,
2. Submission to, or rejection of , that conduct is used as a basis for employment decisions affecting the employee, or
3. That conduct has the effect of unreasonably interfering with an individual's work performance or of creating a hostile, offensive, or intimidating work environment.

Examples include, but are not limited to:

- Making unwanted sexual advances including touching, kissing, hugging, or massaging;
- Making sexual gestures or visual displays such as leering;
- Offering employment or academic benefits in exchange for sexual favors;
- Gratuitous displays of sexually suggestive objects, pictures, cartoons or drawings;
- Sending suggestive or obscene letters, notes or invitations;
- Engaging in graphic sexual commentary about an individual's body.

## III. REPORTING REQUIREMENTS

- A. Any applicant, employee, student, or other individual who experiences any conduct that he or she believes may constitute harassment and/or discrimination has an obligation to report it. No individual is required to report or make a complaint of harassment or discrimination to the person who is engaging in the problematic conduct.
- B. Any individual who becomes aware of any conduct that he or she believes may constitute harassment or discrimination has a similar obligation to report that conduct regardless of whether he or she is personally involved in the conduct and regardless of whether the conduct involves other employees or students, vendors, contractors or others in the work environment.

- C. Individuals may report such conduct to any of the following individuals: his/her supervisor, the Human Resources Director, the Equal Employment Opportunity Officer, the appropriate Department Head, the appropriate Dean, the Director of the University Health Center, or the Director of the University Counseling Center. Any official receiving a complaint should notify the EEO Coordinator to ensure that follow-up action is taken. The EEO Officer will serve as a clearinghouse for all such actions.

#### IV. INVESTIGATION PROCEDURES

- A. Whenever a report of conduct is received which alleges harassment and/or discrimination the EEO Officer shall conduct a prompt investigation to gather available facts and to determine whether or not prohibited conduct has occurred.
- B. If an investigation confirms either that harassment and/or retaliation has occurred or that conduct in violation of the policy has occurred, immediate and appropriate action to stop any such conduct and reasonable steps to prevent any further harassment, discrimination, or retaliation shall be taken.
- C. To the fullest extent practical and consistent with a thorough investigation, all complaints will be kept confidential.

#### V. SANCTIONS

Anyone who violates this policy is subject to disciplinary action. Following an appropriate investigation and subject to the procedures which are part of the policies governing the relevant type of appointment at/relationship with the University, the faculty, staff, student, or other individual may be subject to sanctions, including reprimand, probation, suspension, demotion, reassignment, termination of employment, termination of contractual relationship and/or expulsion.

#### VI. APPEAL PROCEDURE

If the individual who has reported the conduct feels dissatisfied with the findings of the EEO Officer and/or the sanctions imposed, he/she should feel free to bring the matter to the attention of the appropriate Vice-President, the Provost or the President. Action will be taken to examine impartially and resolve promptly any such appeal by the formation of a special committee appointed by the President to consider the matter. Such committee will consist of no less than three and no more than five members and may include faculty members, administrators, staff members and students in a mix suitable to address the complaint. Confidentiality of all parties will be respected to the greatest extent possible.

## VII. RETALIATION

1. Retaliation includes overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, and/or harassment against an individual or group exercising rights under this policy.
2. No applicant, employee, student or other individual who complains about a violation of policy or who participates in an investigation of a complaint made pursuant to this policy, or to the UL System Policies regarding harassment and/or discrimination, shall be subject to retaliation in any form. Retaliation may be found to have taken place even when it is determined through an investigation under this policy that the underlying complaint of discrimination/harassment is without merit.
3. In the event an individual believes that he/she or has been subjected to prohibited retaliation, he/she should follow the complaint process prescribed in the Southeastern Louisiana University Policy on Retaliation.

## VIII. FALSE CLAIMS/FALSE TESTIMONY

Southeastern prohibits any form of retaliation against any employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation. However, if after investigating a complaint the University determines that an individual has intentionally provided false information, disciplinary action will be taken against said individual.