

Harassment (for Staff/Faculty)

Definition

Harassment is unwelcome and/or offensive conduct on the basis of any protected status, which include race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, veteran status, physical disability, mental disability, or medical condition, and:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, grade or academic progress;
2. Submission to or rejection of such conduct by an individual is used as the basis or threatened to be used as the basis for employment or academic standing or assessments affecting an individual; or
3. Such conduct is so severe or pervasive that its effect, whether or not intended, is an environment* that could be considered by a reasonable person in the shoes of the individual, and is in fact considered by the individual, as intimidating, hostile or offensive.

Sexual harassment is a form of discrimination that is specifically addressed by legislatures and courts, and is one of the most prevalent forms of discrimination. There may be sexual harassment by those of the same sex as well as by those of the opposite sex.

"Sex" includes, but is not limited to: the victim's actual sex; the harasser's perception of the victim's sex; the harasser's perception of the victim's identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with victim's sex at birth.

*A hostile environment may exist when such conduct is persistent and/or pervasive and when it unreasonably interferes with an individual's ability to participate, learn, and/or work. Factors considered in determining whether an environment is hostile include whether the conduct was:

- verbal or physical or both
- a single incident or a pattern of behavior;
- perceived to be hostile or offensive to a reasonable person;
- exercised by an individual in a position of authority; and/or
- directed to one or more individuals or class of individuals

Examples of Harassment

The following are examples of behavior that could be interpreted as harassment. These examples are meant to be illustrative only and are not an inclusive list.

- Written communications, such as sending inappropriate jokes or comments in print or by electronically;

- Verbal communications, such as making graphic or degrading comments about an individual and/or his/her body or personal characteristics, or using epithets, derogatory comments or slurs;
- Physical acts, such as unwanted touching, physical interference, or event assault;
- Visual acts or displays, such as derogatory cartoons, drawings, or posters, or inappropriate gestures;
- Making unwelcome sexual advances or propositions, or offering benefits or giving preferential treatment in exchange for sexual favors;
- Making or threatening reprisals after a negative response to unwelcome conduct.

Page Updated: 01/19/2005