

Employment and Workplace Issues

Discrimination and Harassment Complaint Procedures

The university is committed to maintaining an environment conducive to learning and scholarship and free from employment discrimination or harassment related to the following categories: race, color, sex, religion, national origin, ancestry, physical disability, mental disability, age (over 40 in employment issues), sexual orientation, family care leave or its denial, pregnancy disability or its denial, or retaliation for complaints related to these categories. No employee of the university may engage in such discrimination, harassment or retaliation.

Faculty or staff who believe they have experienced such employment discrimination, harassment, or retaliation, are encouraged to submit their complaint directly to the Office of Equity and Diversity, whose director is the university's designated investigator. Supervisors, managers, and other recipients of complaints must promptly report all such claims of discrimination, harassment or retaliation to the Office of Equity and Diversity. The complaint process is internal and legal counsel for individuals do not formally participate.

1. Complainants will be asked to provide a description of their complaints to the Office of Equity and Diversity.
2. Complainants will be interviewed to make an initial assessment as to whether or not their complaint falls within the jurisdiction of the Office of Equity and Diversity. Referrals will be made to appropriate university representatives for issues not related to discrimination, harassment or retaliation.

Issued by: Todd R. Dickey
Senior Vice President for Administration

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Academic Affairs

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3. Once a complaint has been accepted for review, an investigation will begin by prompt notification to the dean of the relevant college or school, or the Vice President responsible for the administrative department. If a faculty member is involved as complainant or respondent, the Vice Provost for Faculty Affairs will also be notified. The investigation may include, but is not limited to, review of statements from both parties, witness interviews, obtaining witness statements, review of documentation, and on-site investigation. The process for investigating sexual harassment complaints is detailed in the Faculty Handbook and in the Staff Employment Policies and Procedures. The process for preliminary investigation of other such complaints against faculty will conform to the procedures outlined in the Faculty Handbook.
4. Results of the investigation will be shared with the dean or vice president, as well as the complainant and the respondent, and when there is sufficient evidence to support the complaint, written notification of investigative findings will be sent to the complainant and the respondent.
5. If the complainant or the respondent disagrees with the investigative findings, a written request for review must be made within fifteen (15) business days from the date of notification to the Director of the Office of Equity and Diversity, who will determine whether there is sufficient basis to overturn the investigative findings. If a faculty member is either the complainant or respondent, the Vice Provost for Faculty Affairs will be consulted by the Office of Equity and Diversity.

If the Office of Equity and Diversity determines that there is insufficient basis to conclude that the complaint has merit, that determination will conclude the university's investigation, and the university will proceed no further at that time. A written decision will be sent to the complainant and the respondent at the close of the investigation. For complaints

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against staff, the complainant may appeal an “insufficient basis” finding by written appeal to the Associate Senior Vice President for Administrative Operations. The written appeal must be received within fifteen (15) business days of the date of the insufficient basis finding.

6. If it is concluded that discrimination, harassment or retaliation has occurred, a determination will be made as to the appropriate sanctions or corrective action. If the sanction or corrective action is contested by the respondent, the final decision will be made as follows.
 - a) For complaints against faculty involving sexual harassment, the respondent must appeal in writing to the University Committee on Tenure and Privilege Appeals within ten (10) days in accordance with the Sexual Harassment procedures detailed in the Faculty Handbook. For complaints against faculty involving other harassment, discrimination, or retaliation, if the respondent contests the sanction or corrective action, the matter shall be referred to the appropriate dean for consideration under the procedures detailed in the Faculty Handbook for discipline or dismissal of a faculty member.
 - b) For complaints against staff, the Associate Senior Vice President for Administrative Operations will receive and review the investigative report and, when warranted, take appropriate corrective action. A non-faculty employee may file a written appeal with the Senior Vice President for Administration within ten (10) business days of his or her receipt of notice of the disciplinary action. The Senior Vice President must respond to the employee’s appeal within ten (10) business days.

Questions regarding these procedures should be addressed to the Office of Equity and Diversity at (213) 740-5086.

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