UNMC Non-Discrimination and Sexual and Other Prohibited Harassment Policy

Purpose
1.1. Equal Employment Opportunity ("EEO"):
UNMC promotes equal educational and employment opportunities in the academic and work environment. UNMC shall not discriminate against students and employees, and campus visitors (for example, applicants for educational programs, employment applicants, volunteers, and vendors) based on race, age, color, disability, religion, sex, national origin, marital status, genetic information, sexual orientation, political affiliation, or Veteran status.

1.2. Harassment:
UNMC promotes a productive academic and work environment which prohibits harassment based on race, age, color, disability, religion, sex, national origin, marital status, genetic information, sexual orientation, political affiliation, or Veteran status.

Scope
2.1. This policy is applicable to all UNMC students, and employees to include Office/Service, Managerial/Professional, Faculty, and Other Academic positions. It also may apply to campus visitors like applicants for educational programs, applicants for employment, volunteers, and vendors.

Basis of the Policy - Board of Regents Policy 3.1.1
3.1. Equal Employment Opportunity:
"Employees on each campus of the University of Nebraska shall be employed and equitably treated in regard to the terms and conditions of their employment without regard to individual characteristics other than qualifications for employment, quality of performance of duties, and conduct in regard to their employment in accord with University policies and rules and applicable law."

3.2. Harassment:
UNMC reaffirms that all women and men -- administrators, faculty, staff, students, patients, and visitors -- are to be treated fairly and equally with dignity and respect. Any form of discrimination, including sexual harassment or harassment on the basis of a person's protected status, is prohibited.

3.3. Related Policies and Laws:
University of Nebraska Board of Regents Policies
Federal and State laws, including Titles VI and VII of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act, as amended, more specifically define UNMC nondiscrimination obligations.
Authorities and Administration

4.1. The UNMC Human Resources' Division Director of Employee Relations is responsible for the administration, implementation, and maintenance of the Non-Discrimination, including Sexual and Other Prohibited Harassment, Policy at the campus level in consultation with the Assistant Vice Chancellor for Business and Finance Executive Director of Human Resources and the Vice Chancellor for Business and Finance.

Policy

5.1. The University of Nebraska Medical Center (UNMC) declares and affirms a policy of equal educational and employment opportunities, affirmative action in employment, and non-discrimination in providing its services to the public. Therefore, UNMC shall not discriminate against students, employees, and other campus visitors based on race, color, age, disability, religion, sex, national origin, marital status, genetic information, sexual orientation, political affiliation, or Veteran status. Sexual harassment and other prohibited harassment on the basis of a person's protected status is prohibited under this policy.

5.2. Sexual Harassment:

5.2.1. Legal Definition of Sexual Harassment: According to the federal Equal Employment Opportunity Commission guidelines, sexual harassment is: "... unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature..." when:

- Submission to such conduct is made either explicitly or implicitly, a term or condition of employment or educational status.
- Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting an individual.
- Such conduct has the purpose or effect of unreasonably interfering with one's work or academic performance or creating an intimidating, hostile, or offensive environment.

5.2.2. General Categories of Sexual Harassment:

Hostile Environment: Unwelcome conduct which is severe or pervasive and is of a sexual nature, whether oral, pictorial, electronic (whether real or virtual), written, or physical, which in purpose or effect intimidates the recipient or creates an offensive or hostile working or academic environment. Such communication might be repeated use of greeting or titles offensive to the recipient, e.g., gestures, or physical contact such as touching or pinching.

Quid Pro Quo: Solicitation of sexual contact of any nature when submission to or rejection of such contact explicitly or implicitly imposes either favorable or adverse terms or conditions of employment or academic standing.
Enforcement

6.1. The UNMC Affirmative Action Officer, Carmen Sirizzotti, Division Director of Human Resources-Employee Relations, monitors UNMC's affirmative action and non-discrimination policies.

Responsibilities of UNMC Affirmative Action Officer, Administrators, Faculty, Staff, and Students, and the University

6.2. A work and academic environment free of discrimination is the responsibility of every member of the campus community. The UNMC Affirmative Action Officer, Carmen Sirizzotti, Division Director of Human Resources-Employee Relations, is responsible for hearing complaints, concerns, reports of problems, and for providing assistance in such matters as the nondiscrimination or sexual harassment and harassment based upon protected status policies and the UNMC grievance process. University officials (i.e., Vice Chancellors, Deans, Directors, Department Chairs, Ombuds Team Members) are also responsible for assisting faculty, staff, and students in receiving appropriate responses to complaints or issues. Faculty, staff, and students are responsible for bringing forward complaints, concerns, problems or issues regarding discrimination or sexual harassment or harassment based upon protected status to either the UNMC Affirmative Action Officer, Carmen Sirizzotti, Division Director of Human Resources-Employee Relations, or to a University official as described above. Faculty may also report complaints of discrimination or sexual harassment directly to the Faculty Senate Grievance Committee, to Kurtis Cornish, Ph.D., Committee Chair, at 402/559-4372, or at 984574 Nebraska Medical Center, Omaha, NE 68198-4575.

Reporting Complaints

7.1. Any employee, applicant for employment or an educational program, student, or campus visitor, who believes he or she may have suffered discrimination or sexual harassment or harassment based upon protected status should report problems, concerns, complaints, or issues relating to alleged prohibited discrimination by contacting the UNMC Affirmative Action Officer, Carmen Sirizzotti, Division Director of Human Resources-Employee Relations at 402/559-2710 (phone), 402/559-5904 (fax); individuals may come to the office at Room 2000 Administration Center, 426 South 40th Street, Omaha, NE 68198-5470, during normal business hours (8:00 am - 5:00 pm, Monday through Friday). Administrators, faculty, staff, and students also may assist parties in bringing forward inquiries or complaints of alleged prohibited discrimination by contacting Ms. Sirizzotti at Human Resources-Employee Relations. The Human Resources-Employee Relations office administers the UNMC formal grievance process related to discrimination issues. Faculty may also report complaints of discrimination or sexual harassment or harassment based upon protected status directly to the Faculty Senate Grievance Committee, to Kurtis Cornish, Ph.D., Committee Chair, at 402/559-4372, or at 984574 Nebraska Medical Center, Omaha, NE 68198-4575.
Confidentiality
7.2. To the extent possible the investigation of complaints filed under this policy shall be kept confidential by the UNMC employee investigating the complaint, the person making the complaint, the subject of the complaint, and individuals interviewed about the complaint. However, all persons involved in the complaint shall understand that UNMC is not precluded from conducting a thorough investigation and communicating with UNMC employees who have a need or right to know the findings of the investigation.

No Retaliation
7.3. There shall be no retaliation against individual employees who raise concerns. Individuals with compliance concerns or complaints should review the UNMC Compliance Hotline Policy # 8001, which provides information on communication channels for employees and students to report any activity or conduct that they suspect violates University of Nebraska or UNMC policies and procedures, and/or federal, state, or local laws and regulations. UNMC will not permit retaliation against any individual who, in good faith, files a complaint of harassment or participates as a witness in a harassment investigation. Those who engage in such retaliatory behaviors shall receive the appropriate discipline.

Equal Employment Opportunity
8.1. The University of Nebraska Medical Center declares and affirms a policy of equal educational and employment opportunities, affirmative action in employment, and nondiscrimination in providing its services to the public. Therefore, the University of Nebraska Medical Center shall not discriminate against anyone based on race, age, color, disability, religion, sex, national or ethnic origin, marital status, genetic information, sexual orientation, political affiliation, Vietnam-era veteran status, or special disabled Veteran status. Sexual harassment in any form, including hostile environment and quid pro quo, is prohibited.

For additional information, contact Human Resources, Employee Relations at 559-2710.