

# Augusta University

## Policy Library

# Non-Discrimination Anti-Harassment Policy

**Policy Owner: Office of Academic Planning and Strategic Initiatives**

### **POLICY STATEMENT**

Augusta University (AU) is strongly committed to ensuring that its learning and working environments are free of harassment and discrimination because of a person's race, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, genetic information, or disability. AU shall respond in a swift and effective manner, with a goal of eliminating such conduct.

Prohibited discrimination includes any action taken by an AU employee to deny benefits, promotion, leave, overtime, or other privileges of employment to an employee because of the employee's race, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, genetic information, or disability.

Prohibited discrimination also includes harassment by a co-worker, student, vendor, supervisor, or other employee of AU on the basis of race, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, genetic information, or disability that is sufficiently severe and pervasive so as to constitute a hostile work environment.

No individual at AU may take actions to retaliate against any person who brings, or is thought to have brought, a complaint alleging discrimination, or who has cooperated with or participated in any way with an investigation conducted pursuant to this policy. Encouraging others to retaliate is also a violation of this policy. Any employee who engages in unlawful retaliation shall be subject to disciplinary action, up to and including, discharge from employment.

### **AFFECTED STAKEHOLDERS**

*Indicate all entities and persons within the Enterprise that are affected by this policy:*

- Alumni       Faculty       Graduate Students       Health Professional Students  
 Staff       Undergraduate Students       Vendors/Contractors       Visitors  
 Other: Include any other stakeholders not listed above

### **DEFINITIONS**

#### **Definition of Prohibited Harassment**

Harassment is defined as conduct that:

- a. Conditions, explicitly or implicitly, a job-related or educational benefit in exchange for sexual favors, and
- b. Subjects a person to unwelcome sexual, racial, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, genetic or disability - based conduct that is so severe or pervasive that it effectively alters the conditions of education or employment by creating an intimidating or hostile environment for work or learning.

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**Office of Compliance and Enterprise Risk Management Use Only**

**Policy No.:** 518

**Policy Sponsor:** Vice President for Academic Planning and Strategic Initiatives

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**Last Review:**

Harassment on the basis of race, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, genetic information or disability is also considered unprofessional conduct that interferes with the pursuit of learning and the conduct of employment responsibilities.

## **PROCESS & PROCEDURES**

AU designates the Director of Office of Employment Equity (EEO Officer) to coordinate its efforts to comply with this policy and with the specific requirements contained in:

- a. Title VII of the Civil Rights Act of 1964 (Pub. L. 88-352) (Title VII), as amended
- b. Section 504 of the Rehabilitation Act; and
- c. Disabilities Act Amendments Act of 2008.

### **Prohibited Harassment – Examples**

The following are examples of conduct that targets an individual on the basis of race, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, or disability and is prohibited in any College or System sponsored program, project or activity, including classrooms, workplaces or off-campus activities:

- a. Assault and battery, sexual assault, and rape.
- b. Overt threats, serious intimidation, stalking behavior, repeated refusal to take “No” for an answer, obscene messages on voice mail or computer, taking obvious advantage of someone who is intoxicated or on drugs.
- c. Serious threats of retaliation and actual retaliation, and sexual bribes and blackmail.
- d. Repeated, unwanted touching or kissing, especially if the behavior has been labeled unwelcome.
- e. Degrading, outspoken, public tirades from a coworker or supervisor regarding a person's race, color, creed, national origin, gender, age, religion, veteran status, sexual orientation, genetic information or disability.
- f. Deliberate, repeated humiliation, including deliberate humiliation of a co-worker who is not a native English speaker, for the mispronunciation of words or phrases, or humiliation of a student or co-worker because of his or her sexual orientation.
- g. Deliberate desecration of religious articles or places, repeated unwanted proselytizing and repeated interference with the reasonable pursuit of religious life.
- h. Repeated insults about loss of personal and professional competence addressed to an older person.
- i. Making offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee.
- j. Constantly using derogatory terms which focus on an employee's disability or the perception that an employee has a disability.

AU shall ensure:

- a. All persons who will handle complaints and conduct investigations, resolution and complaint procedures referenced in this policy will have the necessary knowledge and skills to accomplish these duties.

- b. New employees receive adequate information regarding the protections afforded to them under federal and state civil rights laws and the AU employee equity policies and complaint procedures; and
- c. Supervisory personnel knowledgeable regarding AU's employee equity obligations, the policies and procedures established for handling EEO complaints and the supervisor's obligation to:
  - o Create a positive, inclusive, and respectful work environment, which is supportive of Healthy Respect guidelines, for employees in his/her workgroup, and
  - o Respond promptly and appropriately to discriminatory conduct or reports of discriminatory conduct in the workplace under their supervisory authority.

## REFERENCES & SUPPORTING DOCUMENTS

ADA Accommodation Guidelines: <http://www.AU.edu/diversity/oeo/documents/accomodationguidelines.pdf>

ADA Request for Medical Certification Form:

<http://www.AU.edu/diversity/oeo/documents/accommodationrequest.pdf>

EEO Complaint Form: <http://www.AU.edu/diversity/oeo/complaintform.pdf>

EEO Complaint Resolution Procedures: <http://www.AU.edu/diversity/oeo/complaints.php>

## RELATED POLICIES

N/A

## APPROVED BY:

Brooks A. Keel, Ph.D.  
President, Augusta University and CEO, Augusta Health System

**Date:** 06/13/2017