

CONDUCT RELATED TO DISCRIMINATION AND SEXUAL HARASSMENT

Chancellor's Office Policy

Effective: February 6, 2007

Applicability:

All Chancellor's Office unclassified employees and applicants for employment.

Policy:

- A. Each Chancellor's Office employee has the right to work in an environment free from any form of unlawful discrimination on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, disability, or age.
- B. Discrimination is prohibited in making employment-related decisions, including, but not limited to, hiring, promotion, demotion, transfer, termination, compensation, benefits, layoff, training, and performance evaluation.
- C. Sexual harassment is a prohibited form of discrimination. Sexual harassment is defined as unwelcome sexual advances or requests for sexual favors and other verbal, non-verbal, or physical conduct of a sexual nature when:
 - 1. Submission to or toleration of such conduct is an explicit or implicit term or condition of appointment, employment, or evaluation; or
 - 2. Submission to or rejection of such conduct is used as a basis for a personnel action or evaluation affecting the individual; or
 - 3. The conduct has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile, offensive, or otherwise adverse working environment.
- D. The Chancellor's Office will not tolerate discriminatory behavior that is directed to or by employees. It is the responsibility of each Chancellor's Office employee to respect the personal dignity of others and refrain from behavior that constitutes unlawful discrimination.
- E. Confidentiality: The Chancellor's Office will endeavor to maintain confidentiality to the extent permitted by law. Formal and informal complaints will be maintained in a confidential file in the Human Resources Division for three years following the date of resolution.
- F. Retaliation: An individual filing a complaint or grievance in good faith or participating in an investigation under this policy shall not be subject to retaliation.
- G. Violations of Policy: Conduct found to be in violation of this policy may result in disciplinary action up to and including dismissal.

H. Nothing in this policy precludes an individual from filing a formal complaint in accordance with the regulations of Oregon Bureau of Labor and Industries or the U.S. Equal Employment Opportunity Commission.

Discrimination and Sexual Harassment Complaint Procedure

Informal Procedure: In order to resolve discrimination complaints promptly and effectively, any employee who believes s/he has been subjected to employment-related discrimination must first notify the Office of Human Resources or Compliance Office within 30 days of the incident or knowledge of an incident on which the complaint is based. The complaint may be made orally or in writing. The Office of Human Resources or Compliance Office will conduct an investigation of the complaint with the intent to resolve it.

Formal Procedure: If an employee is dissatisfied with the outcome of the informal procedure, the employee may file a formal complaint using the procedure described in Step 2 of the Chancellor's Office Grievance Procedure Policy (attached in Appendix A). The exception is if the employee is a member of a collective bargaining unit; they may choose to file a grievance under that agreement and are then ineligible to file Step 2 procedure under the Chancellor's Office Grievance Procedure Policy. The formal complaint must be filed within 14 days of the employee's receipt and/or knowledge of the outcome of the informal procedure.

Additional References:

Oregon Administrative Rules – Oregon State Board of Higher Education:

- 580-021-0006, Affirmative Action Goals: Employment
- 580-022-0050, Employment Discrimination
- 580-022-0055, Employment of More than One Member of a Household

Oregon State University (OSU) is the appointing authority for classified staff who work for the Chancellor's Office. As the appointing authority, OSU manages the recruitment and retention process and the filling of vacancies pursuant to the Collective Bargaining Agreement for classified employees.