

RESPECTFUL WORKPLACE

Preventing Sexual Misconduct

POLICY STATEMENT

Members of the University of Mary Washington community are entitled to a campus free of sexual harassment, violence, and exploitation. Actions that create an intimidating or offensive work or study environment will not be tolerated, and will be addressed confidentially and appropriately through the enforcement of this policy. Every student, faculty and staff person deserves to work and study in an environment free of sexual misconduct.

HOW DO YOU KNOW WHEN IT'S HARASSMENT?

It can be difficult at times to know you are being sexually harassed. You may feel that the person didn't mean what he or she said, that you are being overly sensitive or that you didn't hear the person correctly. If the attention is unwanted, ask yourself these questions:

1. Is the attention of a sexual nature, explicitly or implied?
2. Does the other party exercise power or authority over you, through supervision or participation in employment decisions?
3. Did the conduct or remarks create an intimidating or hostile environment?
4. Has your work performance suffered because of what was said or done?

If you answered YES to any of these questions, you may be a victim of sexual harassment.

SOME COMMON HARASSMENT EXAMPLES ARE:

- direct or implied threats that submission to sexual advances will be a condition of employment, work status, or promotion;
- unwanted sexual teasing, jokes, remarks, or questions;
- unwanted pressure for dates;
- unwanted touching, patting, hugging, or brushing against a person's body;
- unwanted sexual looks or gestures;
- unwanted pressure for sexual favors; and
- unwelcome letters, telephone calls or materials of a sexual nature.

Sexual Violence includes:

Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

A number of acts fall into the category of sexual violence including: **rape, sexual assault, sexual battery, and sexual coercion.**

Sexual Exploitation Includes:

When a person takes a non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples include:

- Invasion of sexual privacy
- Non-consensual video or audio-taping of sexual activity
- Going beyond the boundaries of consent
- Engaging in voyeurism
- Sexually-based stalking and/or bullying (physical or cyber)

WHAT TO DO IF YOU EXPERIENCE OR OBSERVE SEXUAL VIOLENCE

If you experience or observe sexual VIOLENCE:

CONTACT THE UNIVERSITY POLICE

540-654-4444

The University Police will consult with the Office of Human Resources and inform the University's Title IX Coordinator as required.

WHAT TO DO IF YOU ARE HARASSED

Know your options. Employees may seek either informal or formal resolution. No one will force you into any action you do not want to take, but will help take the steps of your choice.

Informal Resolution

If comfortable, say “NO” to the harasser. Use a direct and honest approach to tell the harasser you do not like the activity and expect it to stop.

Seek assistance from HR or one of the University contact persons (list available from HR). Call 654-1214.

Don't ignore the harassment. Deal with the situation immediately, seeking assistance if necessary.

Keep detailed records of all harassing activities (time, place, nature of the harassment and witnesses if any).

Formal Resolution

- May be initiated with the AA/EEO officer located in the Office of Human Resources at (540) 654-1214.
- Must be initiated within **one year** from the date of the alleged harassment.
- The complainant must be (or have been) a member of the University community at the time of the alleged harassment.
- The complaint must be **in writing** and must be signed. It must describe the alleged behavior and state the remedy sought.

The complaint procedure can be found in the policy on the HR website:

<http://adminfinance.umw.edu/hr/policies-and-procedures/respectful-workplace-policies/university-sexual-harassment-and-consensual-relations/policy>

RESPECTFUL WORKPLACE

Preventing Workplace Harassment and Discrimination

UNIVERSITY OF MARY WASHINGTON

STATEMENT OF NONDISCRIMINATION

The University of Mary Washington subscribes to the principles of equal opportunity and affirmative action. The University does not discriminate on the basis of race, color, religion, disability, national origin, political affiliation, marital status, sexual orientation, sex, pregnancy or age in recruiting, admitting, and enrolling students or in hiring and promoting faculty and staff members. This statement of nondiscrimination extends to all aspects, terms, and conditions of employment and student tenure.

DEFINITION AND EXAMPLES OF WORKPLACE HARASSMENT

The University of Mary Washington strictly forbids discriminatory harassment of any employee, applicant for employment, vendor, contractor or volunteer. Discriminatory harassment is defined as any unwelcome verbal, written, and/or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, color, religion, disability, national origin, political affiliation, marital status, sexual orientation, sex, age, or pregnancy and:

- (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or
- (3) affects an employee's employment opportunities or compensation.

Examples:

- (a) Unwelcome and repeated use of degrading language, jokes, or innuendos;
- (b) Threats or insinuations about conditions of employment; and
- (c) Offensive pictures or objects.

IF HARASSMENT HAS OCCURRED:

Employees and third parties should report incidents of workplace harassment as soon as possible after the incident occurs.

UMW COMPLAINT PROCEDURE

An employee may address a complaint with the immediate supervisor or with the AA/EEO Officer. Please call 654-1214. Under no circumstances will the individual alleging harassment be required to file a complaint with the alleged harasser.

STATE AND FEDERAL COMPLAINT PROCEDURE

Office of Equal Employment Services within the Department of Human Resource Management (804-225-2136).

U.S. Equal Employment Opportunity Commission. (202-663-4900)

Retaliation Is Prohibited

Retaliation is overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group bringing forth a harassment complaint. If retaliation occurs, the employee(s) should report the retaliation through the complaint procedure.

POLICY VIOLATIONS

Engaging in Harassment: Any employee who engages in conduct determined to be harassment or who encourages such conduct by others shall be subject to corrective action, which may include discharge from employment.

Allowing Harassment to Continue: Managers and/or supervisors who learn of workplace harassment and fail to take appropriate corrective action may be considered a party to the offense, whether they engaged in such behavior or not.

Failure to Respond: Managers and/or supervisors who fail to take appropriate action shall be subject to disciplinary action, including demotion or discharge.

RESPECTFUL WORKPLACE

Preventing Workplace Violence

UMW POLICY STATEMENT

The University of Mary Washington is committed to maintaining a workplace free from threats and acts of intimidation and violence. All reported incidents will be properly investigated.

WHAT CONSTITUTES WORKPLACE VIOLENCE?

Workplace Violence can be defined as actions or words that endanger or harm another employee or result in other employees having a reasonable belief that they are in danger. Such actions include:

- Injuring another person physically;
- Behavior that creates a reasonable fear of injury in another;
- Possessing, brandishing, or using a weapon that is not required for work while on state premises or doing state business;
- Intentionally damaging property;
- Threatening to injure an individual or to damage property;
- Committing injurious acts motivated by or related to domestic violence or sexual harassment;
- Retaliating against any employee who, in good faith, reports a violation of this policy;
- Behavior that subjects another individual to extreme emotional distress.

WHAT ARE SOME WAYS TO PROTECT THE WORKPLACE FROM VIOLENCE?

- Lock certain doors;
- Limit office access;
- Designate an unobstructed secondary exit, whenever possible;
- Establish a "code word" or other signal to convey the need to summon Campus Police for help;
- Avoid leaving keys or purses lying about in the office;
- Notify police if you notice suspicious persons or vehicles, especially after working hours;
- Post emergency numbers at every phone;
- Keep potential weapons of opportunity (scissors, paperweights, letter openers) out of casual reach of customers;
- Know and watch out for your co-workers;

- Dial Campus Police at 4444 in the event of an emergency!!

WHAT ARE SOME WAYS A SUPERVISOR CAN PREVENT WORKPLACE VIOLENCE?

- Ensure that all employees are aware of the Workplace Violence policy;
- Inform all employees of emergency procedures;
- Manage operations and personnel carefully and thoughtfully with open communication;
- Be alert to dramatic changes in behavior;
- Respond to all complaints of violence;
- Make proper referrals to the Employee Assistance Program (EAP) by contacting the Office of Human Resources for assistance;
- Take threats of violence very seriously and dial 4444 in case of an emergency.

WHAT TO DO WHEN CONFRONTED WITH AN IMMEDIATE THREAT:

- Take immediate actions to ensure safety;
- Call Campus Police at 4444 or press one of the blue buttons on campus; and
- Follow up with the Office Human Resources.

POLICY VIOLATIONS

In cases where you feel that the Workplace Violence Policy has been violated you can notify:

- An immediate supervisor;
- The Office of Human Resources.

The Office of Human Resources will manage reports of workplace violence in a manner that protects the safety and anonymity of anyone who comes forward. Acts of violence will be subject to disciplinary action, up to and including termination, based on the situation. Acts of violence occurring outside the workplace also may be grounds for disciplinary action, up to and including dismissal. In these situations, the agency must demonstrate that the violent conduct committed has an adverse impact on the employee's ability to perform his or her assigned duties and responsibilities or that it undermines the effectiveness of the agency's activities.

RESPECTFUL WORKPLACE POLICIES

Volunteer Name: _____

I have read the provided UMW policy information on:

- Preventing Workplace Harassment and Discrimination
- Preventing Workplace Violence
- Preventing Sexual Harassment

I agree to adhere to the University of Mary Washington's Respectful Workplace Policies.

Signature

Date