

 <p><b>Category:</b> Human Resources</p> <p><b>Policy applicable for:</b> Faculty and Staff</p>	<p><i>Policy Title:</i></p> <p><b>Policy Statement on Sexual Harassment</b></p> <p><b>Effective Date:</b> 04/1/2012 – 03/31/2015</p> <p><b>Prior Effective Dates:</b> 10/1999; 04/2001</p> <p><b>Enabling Acts:</b> University Rule 10-13-01</p>	<p><i>Policy Number:</i></p> <p><b>11.3</b></p> <p><b>Policy Owner:</b> Sr. VP for Administration and Finance</p> <p><b>Responsible Office(s):</b> Office of Equal Opportunity</p>
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## Background

1. The University of Cincinnati is committed to professional and academic environments free of illegal discrimination. Illegal discrimination, including sexual harassment, will not be tolerated.
2. This policy applies to visitors, applicants for admission to or employment with the university, current students and employees who allege sexual harassment.

## Policy

1. It is the policy of the University of Cincinnati that no member of the university community may sexually harass another. Anyone who violates this policy is subject to disciplinary action which may include suspension or termination.
2. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic success; or
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or study environment.
3. In addition, harassment without an overt sexual component can also violate the law and university policies where it is shown that the harassment is directed at an individual because of the individual's gender.
4. The university will take immediate steps to investigate and, as appropriate, to resolve complaints.
5. In determining whether alleged conduct constitutes sexual harassment, the university will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination whether a particular action violates this policy will be made from the facts, on a case by case basis. In cases in which a hostile environment is alleged, a determination of a violation requires not only a finding that the victim regarded the environment as hostile,

but also that such conduct was severe, persistent or pervasive and would be considered hostile by any reasonable person. Offensive conduct that does not rise to the level of harassment, however, may be grounds for discipline under other applicable policies.

6. It is unlawful and against university policy to retaliate against anyone making a complaint of discrimination, including a complaint of sexual harassment, or for participating or cooperating in an investigation of such a complaint.
7. Although this policy statement relates specifically to sexual harassment, harassment that is directed against a person because of that person's race, color, religion, national origin, sex, sex orientation, disability, status as a veteran, or age is also prohibited by law and by the university's policies. For additional information on discriminatory harassment generally, with particular reference to the university's enforcement policy as it relates to First Amendment issues, see the university's *Policy Statement on Discriminatory Harassment* (Policy 1.3.x).
8. Questions about this university policy and requests for information about sexual harassment or the procedure for initiating a complaint of sexual harassment should be directed to one of the offices listed in Phone Contacts below.

## **Procedures**

1. A staff or faculty member who reasonably believes that sexual harassment has occurred should immediately contact his/her supervisor and/or the Office of Equal Opportunity.
2. The Office of Equal Opportunity shall conduct a thorough investigation.
3. If an allegation is deemed valid, disciplinary action, up to and including termination, may be imposed upon the culprit.

## **Related Links:**

[Office of Equal Opportunity](#)  
[University Ombuds](#)

## **Phone Contacts:**

Office of Equal Opportunity	556-5508
Office of Labor Relations and Policy Development	556-6372
Office of the Senior Vice President and Provost	556-2588
University Ombuds	556-5956
UC Women's Center	556-4401
Any College Dean's Office	