



Human Resources

Quick Links:

[State University of New York Institute of Technology](#)

Information For

[Prospective Students](#)

[Current Students](#)

[Alumni](#)

[Parents](#)

[Friends & Visitors](#)

[Faculty & Staff](#)

Information About

[Academics](#)

[Library](#)

[Athletics](#)

[Offices](#)

[Directories](#)

[Events Calendar](#)

[Home](#) » [Human Resources](#) » [Policies](#) » [Sexual Harrasment Policy](#)

Sexual Harassment Policy

Introduction and Table of Contents

The Office of Human Resources provides information on sexual harassment as it applies to both students and faculty under the provisions of state law and campus policy. The following list represents the various issues and policies contained within this document:

- [Definition of Sexual Harassment](#)
- [Sexual Harassment and the Law](#)
- [What to do if you are being sexually harassed](#)
- [Campus Policy statement on sexual harassment](#)

Definition of Sexual Harassment

Sexual Harassment is: any repeated or unwanted verbal or physical sexual advance, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone in the workplace or classroom, which is offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation or interferes with the recipient's education or job performance (*Definition developed by NOW and Working Women's Institute*).

Sexual harassment may include one or more of the following:

- verbal harassment or abuse of a sexual nature
- unnecessary touching, patting, pinching or brushing against a person's body
- subtle pressure for sexual activities
- leering (excessive staring) at a person's body
- displaying sexually explicit or suggestive pictures or cartoons
- non-verbal gesture of sexual nature
- sexually explicit cards, notes or other written correspondence
- demanding sexual favors accompanied by implied or overt threats concerning one's academic or job performance, evaluation, promotion, etc.
- physical and/or sexual assault
- denying a qualified employee an employee opportunity or benefit that was granted another employee because he/she submitted to the employer's sexual advances or favors

[<<< back to list](#)

Sexual Harassment and the Law

Sexual harassment is a violation of Section 703 of Title VII of the Civil Rights Act of 1964. In November, 1980, the Federal Equal Employment Opportunity Commission (EEOC) issued guidelines defining sexual harassment as a form of sex discrimination. These guidelines state that unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of sexual nature constitute sexual harassment when:

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

In accordance with University Policy, which strongly prohibits sexual harassment, SUNYIT reaffirms its commitment to the prevention of sexual harassment of its employees and

[Contact Us](#)

[Jobs @ SUNYIT](#)

[Employee Benefits](#)

[E-Training Courses](#)

[Policies and Procedures](#)

[Forms](#)

[Payroll and Contracts](#)

[Holiday Schedule](#)

[Regional Information](#)

students. Every employee and student is entitled to a work and school environment which is free from any form of discrimination. Individuals who engage in sexual harassment will be disciplined. Supervisory and managerial personnel who knowingly allow such harassment to continue will also be disciplined.

[<<< back to list](#)

What to do if you are being sexually harassed

If you find yourself in a situation that could involve sexual harassment it is suggested that the following steps be taken:

- **Say NO!** Say it firmly without smiling or apologizing. Ignoring the situation will seldom make it go away.
- Keep a record of what occurred. Include direct quotes, witnesses, and patterns to the harassment. Save any cards or letters sent to you, however innocuous they might seem.
- Take Action!
 - You may wish to write a letter to the person, especially if you feel that a direct confrontation is not possible or has not worked. You can state what is on your mind without the need for further discourse. If the person does not stop his/her action, you have a copy of your letter for further use.
 - Talk to the Affirmative Action Officer (Kunsela Hall - Room A0011, 792-7191) to discuss your concerns, which may lead to your decision to begin the grievance procedure. You can talk with the Affirmative Action Officer as your first step in dealing with the harassment or after you have tried to resolve the situation yourself. You have the right to be heard, and the use of the grievance procedure is strongly encouraged for anyone who believes he/she has been victim of sexual harassment. No person shall be adversely treated because of filing a grievance.
 - You may wish to file a formal complaint or criminal charge with a external agency. Contact the Human Resources/Affirmative Action Officer for further information.
 - Incidents of criminal sexual assault should be reported to the University Police, **792-7106**, and/or the local police.

Note: There are time limits for filing complaints. Explore your options and protect your rights.

[<<< back to list](#)

Campus policy statement on sexual harassment

In the fall of 1980 the Equal Employment Opportunity Commission amended its guidelines on discrimination on the basis of sex to clarify position on the issue of sexual harassment in employment to reaffirm that sexual harassment is an unlawful employment practice under Title VII of the Civil Rights Act of 1964, as amended.

Previous court rulings support EEOC's position that sex-related intimidation is sex-based discrimination. The Commission has long contended that sexual harassment, like racial, religious or ethnic intimidation, in employment creates a psychologically harmful atmosphere that interferes with work performance, and that employers have an affirmative duty to ensure that the work place is free of discrimination of any form. The Commission also recognizes that despite its illegality, the practice continues to be widespread. It is now being treated with increasing seriousness by the courts, government agencies and academic institutions nationwide.

The newly promulgated amendment, revised to afford protection to female and male employees alike against unfair abuse of sexual privacy, specifies that harassment on the basis of sex is a violation of Federal law. It defines such behavior, either physical or verbal in nature, as "Unwelcome sexual advances, requests for sexual favor and other verbal or physical conduct of a sexual nature" when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creation an intimidating, hostile, or offensive working environment."

Though the guidelines are based on Title VII and apply only to sexual harassment in the work place, these guidelines should be interpreted to apply to students as well under Title IX of the

1972 Education Amendments. Both employees and students alleging harassment may use the SUNY Internal Grievance Procedure for Review of Allegations of Discrimination. Should disciplinary action be found necessary, the appropriate procedure applicable under collective bargaining agreements or campus student judiciary regulations will be used. Filing a complaint with the college does not preclude a grievant from filing with outside enforcement agencies, such as the EEOC or the State Division of Human Rights.

Formal complaints of this nature should be filed with the Assistant Vice President of Human Resources, Kunsela Hall, Room A011, or by calling 792-7191. Deadline for filing grievances is, for most situations, within 45 calendar days following the alleged discriminatory act.

[<<< back to list](#)

Updated: January 6, 2003

SUNYIT • PO Box 3050 • Horatio Street • Utica, NY 13504 • (315) 792-7500
© 2005-2006 SUNYIT. All rights reserved. • [Apply Now](#) • [Contact Us](#)