

Vanderbilt University Human Resource Services

Making Connections

Anti-Harassment Policy full-graphics version

**VANDERBILT UNIVERSITY
UNIVERSITY CENTRAL AND MEDICAL CENTER**

HUMAN RESOURCES POLICIES AND PROCEDURES

SUBJECT: ANTI-HARASSMENT POLICY

POLICY #: HR-002

EFFECTIVE DATE: 01/01/00

(Revision Date January 1, 2003 - changes noted in Red)

POLICY

It is important that Vanderbilt University faculty, staff, and students enjoy an environment free from implicit and explicit behavior used to control, influence, or affect the well-being of any member of our community. Harassment of any individual based on sex, race, color, religion, national origin, age or disability is unacceptable and grounds for disciplinary action, and also constitutes a violation of federal law. Equally unacceptable within the University is the harassment of any individual on the basis of sexual orientation.

GENERAL PROVISIONS

A. Sexual Harassment

Sexual harassment is a form of sex discrimination. It is illegal under state and federal law and is a violation of University policy.

Sexual harassment is prohibited under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. In 1980, the Equal Employment Opportunity Commission amended its "Guidelines On Discrimination Because of Sex" under Title VII to include sexual harassment, defining the term as follows: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; 3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating

an intimidating, hostile, or offensive working environment.”

The Office of Civil Rights of the Department of Education defines sexual harassment under Title IX and set forth policy statement establishing sexual harassment to “consists of verbal

or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient [of federal funds] that denies, limits, provides different, or conditions the provision of aid, benefits, services, or treatment protected under Title IX.”

B. Racial and Other Harassment in the Work Environment

Harassment on the basis of race, color, religion, or national origin is a form of unlawful discrimination and is prohibited under Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission “Guidelines on Discrimination Because of Sex,” explains that the principles for defining sexual harassment in the workplace apply as well to harassment based on race, color, religion, or national origin. When harassment based on race, color, religion, or national origin has the “purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment” rises to the level of unlawful discrimination. In addition, these principles apply to harassment on the basis of age and disability under the Age Discrimination in Employment Act and the Americans with Disabilities Act, respectively. Finally, the University, through its “Sexual Orientation Nondiscrimination Statement,” applies these principles to harassment on the basis of sexual orientation.

C. Complaint Procedure

Any member of the University community who experiences harassment on the basis of sex, race, color, religion, national origin, age, disability, or sexual orientation should immediately seek assistance through the Opportunity Development Center (ODC).¹ The ODC will document the details of the complaint and will conduct a prompt and thorough investigation of the allegations. The ODC will explain the process to all parties involved and notify them of the need for confidentiality to be maintained throughout. Where appropriate, the ODC will facilitate remedial action to protect the parties involved in the process. All pertinent documents will be reviewed and appropriate witnesses will be interviewed. Following an objective evaluation of the information gathered, the ODC will notify the parties of the outcome of the investigation. Where appropriate, the ODC will facilitate a resolution. (Items were deleted from here)

Approved on by Associate Vice Chancellor, Human Resources

Approved on by Vice Chancellor, Administration

Approved on by Vice Chancellor, Health Affairs

This policy is intended as a guideline to assist in the consistent application of University policies

and programs for staff. The policy does not create a contract implied or expressed, with any Vanderbilt staff members, who are employees at will. Vanderbilt reserves the right to modify this policy in whole or in part, at anytime, at the discretion of the University.

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