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[Sexual Harassment Policy](#)

## **Sexual Harassment Policy**

### 1. DEFINITION BY UW-SYSTEM

Sexual harassment is defined by the University of Wisconsin System Board of Regents as follows:

Sexual harassment is a form of sex discrimination. It occurs in a variety of situations which share a common element: the inappropriate introduction of sexual activities or comments into the work or learning situation. Often, sexual harassment involves relationships of unequal power, and contains elements of coercion--as when compliance with requests for sexual favors becomes criterion for granting work, study, or grading benefits. However, sexual harassment may also

involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work in the academic setting. For general purposes, sexual harassment may be described as unwelcome sexual advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
2. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or demeaning employment or educational environment.

Any of the forms of sexual harassment (as defined above) may be grounds for disciplinary action. Discretion must be used in each situation and action taken within the established procedures. The definition provides a base of understanding for all.

## 2. PROCEDURES

1. When any employee or student has reason to believe that they have been sexually harassed, they should contact the Assistant to the Chancellor for Equal Opportunity and Diversity or designee.
2. Any employee or faculty member who comes to know that another student, employee or faculty member is concerned about, or knows another who is concerned about, being sexually harassed, should refer that individual(s) to the Assistant to the Chancellor or designee, contact 472-1072.
3. The Assistant to the Chancellor or designee is prepared to discuss the events, feelings or perceptions creating the concern. These informal discussions may lead to four possible actions depending on the facts presented and the wishes of the offended individual. Identities of complainants do not have to be made known without their prior approval in the informal action.
4. The Chancellor may be informed at the informal stage. The Chancellor may request specific information at this time, and will be provided with updates.
5. The Assistant to the Chancellor or designee can seek to determine, after any initial complaints, whether retaliation or further harassment has occurred.
6. Informal Procedures:
  1. No Action
    1. The actions fall outside the definition of sexual harassment, or
    2. The offended individual decides against, or the Assistant to the Chancellor does not consider further action appropriate.

## 2. Informal Indirect Action

1. When there has been no education of the unit in which the offending individual works, the Assistant to the Chancellor will arrange to provide education on sexual harassment, what it is and why it is illegal in the workplace.
2. The goal will be to "send a clear message" to the offending individual without confronting him or her nor assuming knowledge that offense has been given.

## 3. Informal Direct Action

1. A "friendly" meeting is arranged to permit the Assistant to the Chancellor or designee to convey the concerns of the offended individual to the offender with the goal of stopping the behavior.
2. The Assistant to the Chancellor or designee will present the problem, gather any additional information, attempt to resolve the situation and/or provide education on sexual harassment.
3. The offending individual may have a third person present at the informal meeting, will be informed of possible subsequent actions and also has the right to confidentiality during the initial informal phase.

## 7. Formal Procedures: This is the formal complaint stage, and commences at the request of the offended individual and

1. The informal indirect action did not stop the harassment or retaliation occurred;
2. the case is deemed serious enough, after investigation, by the Assistant to the Chancellor, or
3. punitive action is sought by the offended individual.
4. if the complaining individual is a student, procedures for Wisc.Stat. 36.12, Non-Discrimination Against Students, applies (see U.H. IV-K, p.1-3); if a faculty member or academic staff member, Affirmative Action Grievance Procedure, Unclassified Personnel, U.H. VI-D, p. 5; if classified staff, Affirmative Action Grievance Procedures, Classified Personnel, U.H.VI-D p.6.

## 3. ROLE OF THE ASSISTANT TO THE CHANCELLOR FOR EQUAL OPPORTUNITY

1. Will act as advisor and counselor to offended or complaining individuals;
2. Will act as an information and education resource on the policy and procedures of sexual harassment;
3. Will seek to mediate or otherwise resolve informal complaints; will investigate and report out findings on formal complaints.
4. Will maintain all files regarding sexual harassment actions, complaints, programs, etc.

## RESOURCES

- ▶ [Background Checks](#)
- ▶ [Diversity](#)
- ▶ [Employee Earnings Statement](#)
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## OFFICE INFORMATION

800 West Main Street  
Hyer Hall 330  
Whitewater, WI 53190  
Phone: 262-472-1024  
Fax: 262-472-5668  
[hr@uww.edu](mailto:hr@uww.edu)  
Office Hours:  
7:45 a.m. - 4:30 p.m.  
Monday - Friday

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