

 <p>University of CINCINNATI</p> <p>Category: Human Resources</p> <p>Policy applicable for: Faculty/Staff</p>	<p>Policy Title: Discriminatory Harassment</p> <p>Reviewed Date: 9/24/2024 (minor revision)</p> <p>Effect Date: 12/16/2021</p> <p>Enabling Acts: University Rule 10-13-01</p>	<p>Policy Number: 11-02</p> <p>Policy Owner: Vice President for Equity, Inclusion & Community Impact</p> <p>Responsible Office/Unit(s): Office of Equal Opportunity, Human Resources, Office of the Provost</p>
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Introduction

1. The University of Cincinnati (“University”) is committed to maintaining an environment where open, vigorous debate and free speech can occur. Free speech is an essential prerequisite of academic freedom.
2. The University also recognizes a right of equal access to and participation in its programs and activities. This right may be diminished or even nullified by discriminatory harassment of any member of the University community. While the University respects individuals’ First Amendment rights, it can and will sanction acts of discriminatory harassment that do not qualify for First Amendment protection. This Policy statement defines discriminatory harassment and explains the University’s enforcement policies as they relate to faculty and staff.
3. It is a fundamental policy of the University that discrimination on the basis of race, color, religion, national origin, age, disability, medical condition, genetic information, marital status, military status (including veteran status), ancestry, sex, gender identity or expression, sexual orientation, pregnancy, parental status (including status as a foster parent), or any other status protected by law (collectively, “protected class”) will not be tolerated in any of its activities. Discriminatory harassment is a form of discrimination, and thus also violates the University’s policy against discrimination.
4. This Policy prohibits University staff and faculty members from engaging in discriminatory harassment against any member of the University community, including but not limited to, other employees, students, visitors, volunteers, and applicants for admission to or employment with the University.

5. This Policy does not apply to conduct subject to the University's Title IX Sexual Harassment Policy or the University's Policy on Harassment.

Definitions

1. Discriminatory harassment is unwelcome conduct based on the targeted individual's protected class that: (1) explicitly or implicitly becomes a term or condition of employment or participation in a university course, program, or activity; or (2) is sufficiently severe, pervasive, or persistent to interfere with an individual's work, academic, or university course, program, or activity participation, or the benefits derived therefrom, or creates an environment that a reasonable person would consider intimidating, hostile, or offensive. The determination of whether an environment is "intimidating, hostile, or offensive" is based on a totality of the circumstances, though a single or isolated incident of discriminatory harassment may be severe enough on its own.

Policy

1. The University has a responsibility to provide a non-discriminatory and harassment free environment for employees, students, and others it serves. The University takes this responsibility seriously, and will not knowingly permit discriminatory harassment, as defined herein. This means employees (including student workers) may be subject to discipline for discriminatory harassment as prohibited by University policy.
2. The resources of the University, including those supplied by the Office of the University Ombuds, the Provost, and the Office of Equity & Inclusion are available to assist and support those who have been subject to discriminatory harassment.

Procedure

1. An individual who believes a University staff or faculty member has engaged in discriminatory harassment in violation of this Policy should contact the staff or faculty member's supervisor and/or the Office of Equal Opportunity.
2. The supervisor and/or the Office of Equal Opportunity shall review the report and proceed according to the appropriate University policies and procedures.
3. Staff and faculty members found to have violated this Policy may face disciplinary action, up to and including termination, in accordance with applicable Human Resources policies, individual employment agreements, or collective bargaining agreements.