

# WINTHROP UNIVERSITY

## NON-DISCRIMINATION and ANTI-HARASSMENT POLICY

THIS DOCUMENT IS NOT A CONTRACT BETWEEN EMPLOYEES AND WINTHROP UNIVERSITY, EITHER EXPRESSED OR IMPLIED. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. WINTHROP UNIVERSITY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

### A. Applicability

The provisions set forth below apply to all persons employed by Winthrop University.

### B. Statement of Policy

Winthrop University is committed to maintaining a workplace that is free of unlawful discrimination and harassment. In keeping with this commitment, Winthrop University is an equal opportunity employer and complies with applicable federal and state employment laws.

No one will be subjected to, and the university prohibits, any form of discipline or retaliation for reporting incidents of unlawful discrimination or harassment, pursuing any such claim or cooperating in the investigation of such reports.

### C. Policy

#### 1. Non-Discrimination

Winthrop University is an equal employment opportunity employer and complies with applicable federal and state employment laws. The university does not discriminate against employees or applicants because of race, color, religion, sex (including pregnancy and childbirth, or related medical conditions), national origin, age (forty-plus / 40+), protected disability, veteran status, sexual orientation, gender identity or other characteristic protected under applicable federal, state or local law.

This policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation and all other conditions and privileges of employment in accordance with applicable federal, state and local laws.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion, discrimination or retaliation because they have:

1. filed a complaint;

2. assisted or participated in an investigation, compliance review hearing or any other activity related to the administration of any federal state or local law requiring equal employment opportunity;
3. opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity;
4. exercised any other right protected by federal, state or local law requiring equal opportunity.

## 2. Anti-Harassment

Winthrop University prohibits harassment of any employee because of the employee's race, color, religion, sex (including pregnancy and childbirth, or related medical conditions), national origin, age (forty-plus / 40+), protected disability, veteran status, sexual orientation, gender identity or other characteristic protected under applicable federal, state or local law.

Harassment may include verbal or physical conduct (including improper joking or teasing) that denigrates or shows hostility or aversion towards an individual because of these protected attributes and that has the purpose or effect of:

1. creating an intimidating, hostile or offensive working environment as defined by law;
2. unreasonably interfering with an individual's work performance;
3. otherwise adversely affecting an individual's employment opportunities.

Winthrop University also prohibits harassment based upon sex or gender. (See the Winthrop University Sexual Harassment and Discrimination Policy). Sexual harassment may encompass a variety of behaviors, including unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars or posters, sending sexually explicit e-mail or voice-mail and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually-related comments. Depending upon the circumstances, the conduct can also include sexual joking, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life and teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create a hostile working environment.

## D. Complaint Procedure

All university employees are responsible for helping to assure that this policy is followed and ensuring that everyone is committed to maintaining a workplace that is free of unlawful discrimination and harassment.

Employees who believe they are being subjected to unlawful harassment or discrimination must notify their supervisor, department head, the Vice President for Human Resources, Employee Diversity, and Wellness or her designee, or any other department head with whom they feel comfortable.

Employees who witness conduct that may be in violation of this policy must notify their supervisors, department head, or the Vice President for Human Resources, Employee Diversity, and Wellness or her designee.

Employees who are unsure of to whom to raise an issue of unlawful harassment or discrimination should contact the Vice President for Human Resources, Employee Diversity, and Wellness or her designee.

Employees who have not received a response after reporting an incident of perceived unlawful harassment or discrimination should contact the Vice President for Human Resources, Employee Diversity, and Wellness or her designee, who will ensure that the matter will be investigated immediately.

Winthrop University will promptly and thoroughly investigate the facts and circumstances of claims of perceived harassment or discrimination as confidentially as possible. Due to the sensitivity of the issues involved in an investigation, employees interviewed by the university during the investigation must treat the information discussed as confidential. Disclosure of such information is a violation of the university's policies and procedures and may lead to disciplinary action. Anyone, regardless of position or title, whom the university determines has engaged in unlawful harassment or discrimination, will be subject to disciplinary action, up to and including termination of employment.

No one will be subject to – and the university prohibits – any form of discipline or retaliation for reporting incidents of unlawful harassment or discrimination, pursuing any such claim or cooperating in the investigation of such reports.

Student complaints: Employees who receive complaints from students who believe they have been subjected to unlawful harassment or discrimination by a Winthrop employee must advise the student to contact the Dean of Students or the Vice President for Human Resources, Employee Diversity, and Wellness or her designee. In addition, it is the responsibility of the employee who received the complaint to immediately inform the Dean of Students or the Vice President for Human Resources, Employee Diversity, and Wellness or her designee.

Employees who receive complaints from students who believe they have been subjected to unlawful harassment or discrimination by another student should refer to Winthrop's Student Handbook.