

NON-DISCRIMINATION AND HARASSMENT POLICY

Purpose

1.1 UNMC promotes equal educational and employment opportunities in the academic and work environment free from discrimination and/or harassment. UNMC is dedicated to creating an environment where everyone feels valued, respected and included.

Scope

2.1 This policy is applicable to all UNMC students, and employees to include Office/Service, Managerial/Professional, Faculty, and Other Academic positions. It also applies to campus visitors like applicants for educational programs, applicants for employment, volunteers, and vendors.

Basis of the Policy

3.1 Notice of Non-Discrimination & Equal Employment Opportunity (EEO):

UNMC does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment.

UNMC complies with all local, state and federal laws prohibiting discrimination, including Title IX, which prohibits discrimination on the basis of sex.

Sexual Misconduct which includes dating violence, domestic assault, domestic violence, rape, sexual assault, sexual harassment (including hostile environment and *quid pro quo*), and stalking is covered under UNMC Policy No. 1107, Sexual Misconduct (https://wiki.unmc.edu/index.php/Sexual_Misconduct/).

3.2 Harassment:

UNMC reaffirms that all women and men – administrators, faculty, staff, students, patients, and visitors – are to be treated fairly and equally with dignity and respect. Any form of harassment on the basis of a person's protected status, is prohibited.

Sexual Misconduct which includes dating violence, domestic assault, domestic violence, rape, sexual assault, sexual harassment (including hostile environment and *quid pro quo*), and stalking is covered under UNMC Policy No. 1107, Sexual Misconduct (https://wiki.unmc.edu/index.php/Sexual_Misconduct/).

3.3 Related Policies and Laws:

University of Nebraska Board of Regents Policies

Federal and State laws, including Titles VI and VII of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended,

Title IX of the Education Amendments of 1972 and the Americans with Disabilities Act, as amended, more specifically define UNMC non-discrimination obligations.

Authorities and Administration

4.1 The UNMC Human Resources' Division Director of Employee Relations and the Chief Student Affairs Officer are responsible for the administration, implementation, and maintenance of the Non-Discrimination and Harassment Policy at the campus level in consultation with the Assistant Vice Chancellor for Business and Finance Executive Director of Human Resources and the Vice Chancellor of Academic Affairs.

Policy

5.1 The University of Nebraska Medical Center (UNMC) declares and affirms a policy of equal educational and employment opportunities, affirmative action in employment, and non-discrimination in providing its services to the public. Therefore, UNMC does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment. Harassment on the basis of a person's protected status is prohibited under this policy.

Sexual Misconduct which includes dating violence, domestic assault, domestic violence, rape, sexual assault, sexual harassment (including hostile environment and *quid pro quo*), and stalking is covered under UNMC Policy No. 1107, Sexual Misconduct (https://wiki.unmc.edu/index.php/Sexual_Misconduct/).

5.2 Employees on each campus of the University of Nebraska shall be employed and equitably treated in regard to the terms and conditions of their employment without regard to individual characteristics other than qualifications for employment, quality of performance of duties, and conduct in regard to their employment in accord with University policies and rules and applicable law.

5.3 Hostile Environment: conduct which is severe or pervasive, on the basis of a person's protected status, whether verbal/audio, pictorial, electronic (whether real or virtual), written, or physical, which in purpose or effect intimidates the recipient or creates an offensive or hostile working or academic environment. Such communication might be repeated use of greeting or titles offensive to the recipient, e.g.: gestures.

Sexual Misconduct which includes dating violence, domestic assault, domestic violence, rape, sexual assault, sexual harassment (including hostile environment and *quid pro quo*), and stalking is covered under UNMC Policy No. 1107, Sexual Misconduct (https://wiki.unmc.edu/index.php/Sexual_Misconduct/).

Inquiries

6.1 Any student applicant or student participating in educational programs and activities, employee, applicant for employment, or campus visitor, who believes he or she may have suffered discrimination or harassment based upon protected status (race, color, ethnicity, national

origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation) should report problems, concerns, complaints, or issues relating to alleged prohibited discrimination or harassment to:

Employees, applicants for employment, or campus visitors - Discrimination or Disability Inquiries:

Linda Cunningham, MPA
Division Director, Employee Relations
Administrative Building (ADM) – Office# 2001
Telephone: 402.559.7394
E-mail lcunning@unmc.edu

Students or applicants for educational programs and activities - Discrimination or Disability Inquiries:

Philip D. Covington, Ed.D.
Associate Vice Chancellor for Student Success
WSH 3.0.031C
Telephone: 402.559.2792
E-mail philip.covington@unmc.edu

Employees, Students, Applicants, Campus Visitors - Title IX Inquiries:

Carmen Sirizzotti, MBA,
Title IX Coordinator
Administrative Building (ADM), Office# 2010
Telephone: 402.559.2717
E-mail csirizzotti@unmc.edu

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Responsibilities

Human Resources' Division Director of Employee Relations, Assistant Vice Chancellor- Academic Affairs, Administrators, Faculty, Staff, Students, and the University.

7.1 A work and academic environment free of discrimination is the responsibility of every member of the campus community. Human Resources' Division Director of Employee Relations, Linda Cunningham, MPA, is responsible for hearing employee's complaints, concerns, reports of problems, and for providing assistance in such matters as ADA, discrimination and/or harassment.

Associate Vice Chancellor for Student Success, Philip D. Covington, Ed.D., is responsible for hearing student's complaints, concerns, reports of problems, and for providing assistance in such matters as ADA, discrimination and/or harassment.

University representatives (e.g. Vice Chancellors, Deans, Directors, Department Chairs, Directors, Managers and Supervisors) are responsible for assisting faculty, staff, and students in receiving appropriate responses to complaints or issues.

Faculty, staff, and students are encouraged to bring forward complaints, concerns, problems or issues regarding discrimination or harassment based upon protected status.

UNMC reserves the right to take appropriate action against prohibited discrimination and harassment affecting the work or academic environment in the absence of a complaint from an individual.

Sexual Misconduct which includes dating violence, domestic assault, domestic violence, rape, sexual assault, sexual harassment (including hostile environment and *quid pro quo*), and stalking is covered under UNMC Policy No. 1107, Sexual Misconduct (https://wiki.unmc.edu/index.php/Sexual_Misconduct/).

Confidentiality

8.1 To the extent possible the investigation of complaints filed under this policy shall be kept confidential. Investigations may be limited by the information provided by the complainant and the complainant's willingness to pursue a formal complaint.

However, all persons involved in the complaint shall understand that UNMC is not precluded from conducting a thorough investigation and communicating with UNMC employees who have a need or right to know the findings of the investigation.

No Retaliation

9.1 There shall be no retaliation against individual employees or students who raise concerns. UNMC will not permit retaliation against any individual who, in good faith, files a complaint of discrimination or harassment on the basis of a person's protected status or participates as a witness in an investigation. Those who engage in such retaliatory behaviors shall receive the appropriate discipline.

Individuals with compliance concerns or complaints should review the UNMC Policy No. 8001, Compliance Hotline (https://wiki.unmc.edu/index.php/Compliance_Hotline/), which provides information on communication channels for employees and students to report any activity or conduct that they suspect violates University of Nebraska or UNMC policies and procedures, and/or federal, state, or local laws and regulations. Compliance Hotline: 1.866.568.5430.

Additional Information

- Employees, applicants for employment, or campus visitors may contact Linda Cunningham, MPA at 402.559.7394 or at lcunning@unmc.edu
- Students or applicants for educational programs and activities may contact Philip D. Covington, Ed.D. at 402.559.4437 or at philip.covington@unmc.edu
- Employees, Students, Applicants, Campus Visitors - Title IX Inquiries may contact Carmen Sirizzotti, MBA, at 402.559.2717 or at csirizzotti@unmc.edu
- University of Nebraska Board of Regents Policies (<https://nebraska.edu/regents/bylaws-policies-and-rules/>)

- University of Nebraska Regents Policy 2.1.8 (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf>)
 - UNMC Policy No. 1107, Sexual Misconduct (https://wiki.unmc.edu/index.php/Sexual_Misconduct/)
 - UNMC Student Sexual Misconduct Procedures (<http://catalog.unmc.edu/general-information/student-policies-procedures/student-sexual-harassment-policy/>)
 - UNMC Employee Sexual Misconduct Procedures (<http://www.unmc.edu/hr/Proc/UNMC%20Employee%20Sexual%20Misconduct%20Procedures.pdf>)
 - UNMC Policy No. 8001, Compliance Hotline (https://wiki.unmc.edu/index.php/Compliance_Hotline/)
 - Compliance Hotline: 1.866.568.5430
 - Americans with Disability Act and Section 504 Grievance Procedures – University of Nebraska (<http://www.unmc.edu/hr/Proc/ADA-Sec504%20Grievance%20Procedures.pdf>)
 - Requests for Reasonable Accommodation under the American with Disabilities Act (<http://www.unmc.edu/hr/Proc/Req%20for%20Reasonable%20Accommodation%20-%20ADA.pdf>)
 - Lactation Support Program (<http://www.unmc.edu/hr/Proc/Lactation%20Support%20Program.pdf>)
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