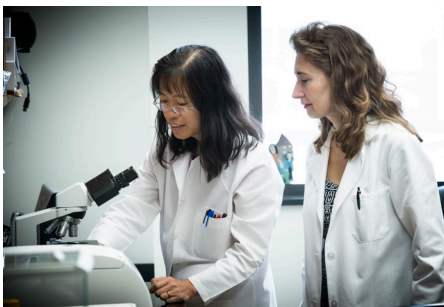


UAB Supervisor Resource Guide Harassment Prevention

UAB is committed to maintaining our campus culture of respect, professionalism, and civility.



In this Guide

ABOUT THIS GUIDE.....	2
DEFINING HARASSMENT.....	3
SEXUAL HARASSMENT.....	4
SEXUAL HARASSMENT EXAMPLES	4
PREVENT SEXUAL HARASSMENT FROM OCCURRING.....	5
ADDRESS SEXUAL HARASSMENT IF IT OCCURS.....	6
SEXUAL HARASSMENT AND EMPLOYEE RELATIONS	7
HARASSMENT PREVENTION CONTACTS AND RESOURCES.....	7

ABOUT THIS GUIDE This resource guide is for educational purposes only and is not intended as an exhaustive discussion of harassment and discrimination and the laws that prevent these practices. In addition, since each situation can vary and the applicability of federal and state laws is based on facts and circumstances, the applicability of laws and policies in your situation may vary. Additional information can be found online at www.uab.edu/policies.

This guide is maintained by UAB Organizational Learning & Development. To request updates or recommend changes, please email learndev@uab.edu.

Please direct harassment questions to:

- Employee Relations
- Your Human Resources Consultant
- Office of Diversity, Equity and Inclusion

DEFINING HARASSMENT Harassment of any kind hurts the individuals involved as well as the organization where it occurs. A harassing environment reduces collaboration, communication and effectiveness. UAB works to maintain a positive, supportive and diverse work and learning environment. In compliance with federal laws and support of policy, UAB actively seeks to prevent and stop all types of harassment.

Harassment is a form of discrimination. Discrimination is the unjust treatment of an individual based on a group, class or category to which a person belongs. Harassment is defined as any type of unwelcome behavior that creates an intimidating environment. This behavior can range from making someone feel uncomfortable to being physically or psychologically attacked. While some harassing behaviors are intentional and obvious, other times, harassment is subtle or unintentional.

There are many types of harassment that could occur in the workplace. Listed below are just a few types of harassment that you need to be aware of and recognize:

- Sexual Harassment
- Gender-based Harassment
- Racial and or Ethnic Harassment
- Age-based Harassment
- Disability-based Harassment
- Sexual Orientation Harassment
- National Origin Harassment
- Religion based Harassment
- Hostile Environment
- Any other factor that is prohibited consideration under applicable law

Your employees have the right to perform their duties in an atmosphere that is free of harassment and discrimination.

The key to preventing harassment is to maintain a culture of respect, professionalism and civility with an appreciation for diversity where everyone can excel.

This guide will primarily focus on recognizing and preventing sexual harassment. However, if you see or hear about any type of harassment, you have a responsibility to interrupt or inquire about the behavior and seek the assistance of UAB Employee Relations.

Important Note - Supervisor's Responsibility

As a supervisor, it is your responsibility to maintain a positive, respectful and supportive work environment for your team. You should understand and comply with all harassment laws and policies.

You should educate your employees about harassment and harassment prevention and should not tolerate any behavior that is perceived as harassing by your employees .

You must respond promptly and appropriately to complaints of sexual harassment. Always contact Employee Relations with questions about harassment.

SEXUAL HARASSMENT

Sexual harassment is one of the most common types of workplace harassment. Sexual harassment occurs when one person or a group of people display unwanted sexual, verbal, or physical behaviors toward another person. Both men and women can be sexually harassed by either gender, and employees can be harassed by individuals that are not UAB employees (examples: patients, customers, vendors, etc.)

Federal law and UAB policy define two main types of sexual harassment:

1. **Quid Pro Quo (Favor for a Favor)** – This type of harassment occurs when one person (usually in a supervisory capacity) makes unwelcome sexual demands of an employee or coworker and says or implies that they must agree to the demands in order to gain a promotion, receive a positive evaluation, work on a project and many other employment decisions and opportunities.
2. **Hostile Environment** – Hostile environment harassment is unwelcome sexual conduct that is serious, persistent or pervasive and affects another person's ability to perform their job. This type of environment is intimidating, threatening and abusive.

Gender-Based Harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature

Sexual Harassment Examples

Depending on the circumstances, sexual harassment may include:

- Excessive or inappropriate physical contact
- Sexual jokes, innuendos, sounds, gestures, or leering
- Sexual comments about a person's appearance
- Sexual emails or written communication
- Sexually explicit or offensive material that is displayed in a work area (usually images)
- Sexually offensive gestures

Note about Hostile Environment harassment: In general, simple teasing, offhand comments and isolated incidents are not usually considered harassment, however if the behavior is perceived to be offensive or becomes frequent or severe it could create a hostile work environment.

PREVENT SEXUAL HARASSMENT FROM OCCURRING

Prevention is the best tool to eliminate sexual harassment in the workplace. Sexual harassment prevention starts with building positive relationships with your employees and coworkers. Be sure to implement, model and maintain a supportive, inclusive and harassment free working environment in your department.

Your employees can help you prevent harassment by:

- Understanding and complying with sexual harassment and all discrimination policies and law
- Getting to know their co-workers
- Accepting the uniqueness of others
- Understanding and becoming aware of their own biases, beliefs and behaviors when necessary
- Holding each other accountable

Encourage your employees to do the following:

- Use appropriate language
- Don't talk about sex at work
- Keep compliments casual
- Avoid sexual jokes, words, phrases and gestures
- Watch for signs that tell them they are making someone uncomfortable

If an employee feels that they are being harassed, they have the right to confront the individual to let them know that the behavior is offensive and unacceptable. If the harassment continues they should contact Employee Relations to address the situation.

Make sure that your employees know they can report incidences to you or Human Resources without fear of retaliation.

ADDRESS SEXUAL HARASSMENT IF IT OCCURS

As a supervisor it is your responsibility to respond **quickly** to complaints of harassment. You can be held personally responsible if you do not respond appropriately to complaints of harassment.

If you observe an employee interaction and suspect an employee is being harassed, interrupt the situation immediately and contact Employee Relations to assist you with the next steps to take.

It is important that you make your employees aware of the avenues available to them to report sexual harassment. Make sure your employees know that if they come to you with concerns or complaints about sexual harassment that you are obligated to contact Employee Relations.

If your employee comes to you with a sexual harassment complaint, immediately refer them to Employee Relations. Employee Relations will collaborate, as necessary, with other offices on campus to investigate sexual harassment complaints.

If an employee does report allegations of harassment to you, assure your employee that he or she took appropriate action in reporting the incident and is guaranteed protection against retaliation. Ask your employee to contact Employee Relations immediately if they feel that they are the victim of retaliation.

SEXUAL HARASSMENT AND EMPLOYEE RELATIONS

Employee Relations will assist you with any harassment complaints or concerns. After being contacted, Employee Relations will conduct a thorough investigation of the situation. When investigating allegations of sexual harassment, Employee Relations will look at the circumstances and nature of the complaint as well as the context in which the incidents occurred. Employee Relations makes decisions about each incident on a case-by-case basis.

Based on facts and verifiable information, Employee Relations will contact you to share the outcome of the investigation. If Employee Relations determines that sexual harassment did occur, they will recommend a suitable remedial action for the offending individual. It is then the responsibility of the department to follow through with the recommended action.

Examples of corrective action may include:

- Sexual harassment training for the offending individual
- Sexual harassment training for the Department/Unit
- Written disciplinary letter
- Termination

HARASSMENT PREVENTION CONTACTS AND RESOURCES

Resource	Contact Information	Helps You Understand
UAB HR Employee Relations	Phone: (205) 934-4458 Fax: (205) 934-1407 Website: www.uab.edu/employeerelations	- Policy interpretation - Harassment investigation
UAB Policies Library	Website: www.uab.edu/policies	- Equal Opportunity and Discriminatory Harassment Policy
U.S. Equal Employment Opportunity Commission (EEOC)	Website: www.eeoc.gov	- Law - Basic Information - Helpful Facts

