

# Equal Employment Opportunity, Anti-Harassment & Non-Discrimination Manager/Supervisor Responsibilities



Where community grows.

# Anti-Harassment and Non-Discrimination

The College's commitment to non-discrimination and anti-harassment applies to all Saint Joseph's College ("the College") faculty, staff, students, College contractors, and visitors.

The College is committed to providing equitable and inclusive opportunities and an educational and work environment free from any discrimination or harassment of, or retaliation against any member of the College community on the basis of:

sex	race or traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles	color age	religion, belief, or spirituality
national or ethnic origin	gender, gender identity and expression	sexual orientation	disabilities
genetic information	pregnancy, childbirth, or related medical conditions	familial status	military status or protected veteran status
or any other characteristic protected by federal, state or local laws ("Protected Characteristics")			

# **Scope of 105 Equal Employment Opportunity, Anti-Harassment and Non-Discrimination Policy (the “Policy”)**

- **Scope of Policy.** The Policy applies at all times when employees are: conducting any work for the College in any location (including working from home or elsewhere); being present on the College campus at any time (including during non-work hours); using any electronic communication systems, equipment, vehicle, or any other resources (whether they are College-provided or your own) even if such conduct occurs during non-work hours or off campus; and/or at College-sponsored events or gatherings
- By way of example, social media usage, calls, emails, and text messages by employees can constitute unlawful workplace harassment, even if these actions occur away from the workplace or outside of work hours
- The Policy is intended to describe the conduct that is required or expected of employees as well as the conduct that is prohibited in furtherance of the College’s commitment to providing a work environment that is free of unlawful discrimination or harassment
- **Any conduct that falls within any of the following prohibited conduct can be and should be reported to the College in accordance with the Policy**

## U.S. EEOC: Your Responsibilities as a Manager

### Managers/Supervisors have five basic responsibilities under the federal discrimination laws:

#### **Don't Discriminate**

Any decisions managers/supervisors make about other employees, such as hiring, firing, scheduling, or assigning work tasks, should not be made because of a person's race, skin color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, disability, age (age 40 or older), genetic information or any other Protected Characteristic. Managers/supervisors also may not harass an employee for any of these reasons.

#### **Report Discrimination**

Managers/supervisors have a duty to bring any incidents of harassment, discrimination and/or retaliation to the attention of Human Resources. As a manager, you must act immediately to correct the situation.

#### **Don't Punish Employees for Reporting Discrimination**

Employees have a right to complain about treatment that they believe is illegal discrimination. You cannot punish employees, treat them differently, or harass them because they report discrimination or help someone else report discrimination, even if it turns out that the conduct was not illegal.

#### **Grant Requests for Workplace Changes**

Managers/supervisors may be asked to make changes to the workplace or to workplace rules because of a person's religious beliefs or disability. For example, a Jewish employee may ask to change her schedule to observe the Sabbath or an employee with a disability may ask to sit on a stool, rather than stand, while they works.

Please reach out to Human Resources to coordinate accommodation requests.

#### **Keep Employee Genetic and Medical Information Private**

The laws enforced by EEOC strictly limit when Managers/Supervisors can ask an employee about their medical condition or genetic information. In general, Managers/Supervisors should not ask employees for this information. There are very limited exceptions to these rules.

In addition, in general, the laws enforced by EEOC require that you keep an employee's [genetic information](#) and [medical information](#) private. This means that you should not discuss this information with others in the workplace, in most instances. There are very limited exceptions to the confidentiality requirements in the laws enforced by EEOC.

# Manager/Supervisor Responsibilities: Reporting

- All managerial and supervisory employees are responsible for creating a working and academic environment free of hate, bias, harassment, discrimination, and/or sexual misconduct
- Should a supervisor or manager become aware of prohibited conduct, the manager or supervisor is required to promptly report in accordance with the reporting processes outlined in the [Policy](#)
- **In addition to being subject to discipline for engaging in conduct that violates this policy, supervisors and managers will also be subject to discipline for failing to report suspected sexual harassment, other unlawful harassment, discrimination, or retaliation or otherwise knowingly allowing sexual harassment, other unlawful harassment, discrimination, or retaliation to continue**

# Manager/Supervisor Responsibilities: Reporting

*When handling harassment and discrimination complaints from your employee:*

- Demonstrate your willingness to hear and objectively discuss complaints
- Inform the employee that you must report all complaints to Human Resources
- Tell the employee that confidentiality will be respected as much as possible but cannot be ensured in order to investigate fully and properly
- Do not object if an employee prefers to or actually does bypass the standard chain of command

*Information courtesy of Society for Human Resource Management*

# Manager/Supervisor Responsibilities: Investigations

- Cooperate with investigations
- Be available for interviews and provide as much information as possible
- Allow employees to be available for interviews

*Once an investigation has been completed, if disciplinary action is to be taken, work with Human Resources to make sure that:*

- The victim is not adversely affected
- The harassment and/or discrimination stops and does not recur

*Information courtesy of Society for Human Resource Management*

# Manager/Supervisor Responsibilities: Retaliation

*To avoid charges of retaliation:*

- Document the reason for any adverse employment against an employee. Make sure that the documentation shows no discriminatory reason for the adverse action
- Do not take any adverse action against an employee who has complained of harassment or discrimination without discussing with and obtaining approval from Human Resources
- Do not engage in retaliation against an employee who complains of harassment or discrimination or participates in an investigation

# Manager/Supervisor Responsibilities: Summary

*Your responsibilities as supervisors/manager include:*

- Complying with our policy and procedures
- Immediately reporting complaints you receive or incidents you witness to Human Resources
- Handling complaints from your employees in accordance with our policy and procedures
- Never retaliating against an employee who complains of harassment or discrimination
- Assisting with investigations and corrective action
- Ensuring that victims are not adversely affected
- Making sure that harassment and discrimination stops and does not recur
- Implementing equal employment practices within your department
- *In addition to being subject to discipline for engaging in conduct that violates The Policy, supervisors and managers will also be subject to discipline for failing to report suspected sexual harassment, other unlawful harassment, discrimination, or retaliation or otherwise knowingly allowing sexual harassment, other unlawful harassment, discrimination, or retaliation to continue*