

**Policy Number:** 03-05-035

**Policy Title:** SEXUAL HARASSMENT

**Effective Date:** October 22, 2010

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1. **Policy**

Sexual harassment is unlawful and is strictly prohibited at OHSU. OHSU administration, faculty, staff, students and volunteers are responsible for assuring that OHSU maintains an environment for work, study, and the provision of services free from sexual harassment.

2. **Definition**

Sexual harassment is any unwelcome sexual advance, request for sexual favor, and other behavior of a sexual nature when:

- A. Submission to or rejection of such conduct is used either explicitly or implicitly as a basis for any decision affecting terms or conditions of an individual's employment, receipt of services, or academic activities; or
- B. Such conduct has the effect of unreasonably interfering with an individual's work performance, receipt of services or academic activities, or creates an intimidating, hostile or offensive environment.

Sexual harassment can occur between any individuals associated with OHSU, i.e., between an employee and a supervisor; between co-workers; between faculty members; between a faculty, staff or student and a customer, patient, vendor, volunteer and contractor; or between a student and a faculty member or another student.

3. **Examples of Sexual Harassment**

Sexual harassment can encompass any sexual attention that is unwelcome. Examples of verbal or physical conduct prohibited by OHSU's Sexual Harassment Policy include, but are not limited to:

- A. A pattern of conduct (not legitimately related to the subject matter of a course) that causes discomfort or embarrassment including: (1) comments of a sexual nature; (2) sexually explicit statements, questions, jokes, or anecdotes; (3) touching, patting, hugging, brushing against a person's body, or repeated or unwanted staring; (4) remarks about sexual activity, experience, or orientation; and/or (5) display of inappropriate sexual materials in a location where others can see it, including using OHSU's computing and telecommunications resources; when such conduct, comments, actions or materials unreasonably interfere with a person's work, receipt of services, or academic activities;

- B. Direct propositions of a sexual nature and/or subtle pressure for sexual activity which is unwelcome and unreasonably interferes with a person's work, receipt of services, or academic activities;
- C. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, receipt of services, promotion, grades, or letters of recommendation;
- D. Physical sexual assault.

#### 4. **Reporting Sexual Harassment**

OHSU encourages individuals who believe they have experienced or witnessed sexual harassment to come forward promptly. Sexual harassment concerns often can be resolved by the person being harassed directly with the harasser. When such resolution is not possible or appropriate, concerns regarding sexual harassment may be brought to:

- A. The supervisor or department head most directly concerned; or
- B. Any academic or administrative official of OHSU including but not limited to the President, a Vice President, Chief Administrative Officer, Legal Counsel, the Provost or a Vice Provost, a Dean, a Chair, a Director, a Manager or a Supervisor; or
- C. The Affirmative Action and Equal Opportunity (AAEO) Department; or
- D. Human Resources; or
- E. The Integrity Office; or
- F. The Office of Academic Affairs; or
- G. The Department of Patient Relations; or
- H. The Department of Public Safety.

Any person who receives a report of sexual harassment shall promptly notify the AAEO Department or Human Resources of the complaint. The AAEO Department has primary responsibility for investigating and resolving reports of sexual harassment lodged by students, trainees, patients, applicants for educational programs, volunteers and others. The AAEO Department and Human Resources have primary responsibility for complaints lodged by employees and employment applicants.

5. **Options for Resolution**

Individuals who report sexual harassment will be advised of their options for resolution of the complaint. These options include:

- A. Informal resolution of the complaint pursuant to the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050; or
- B. Filing a complaint through the University's Equal Opportunity Complaint procedures of Policy No. 03-05-050.

6. **Confidentiality**

To the extent possible, the OHSU treats as confidential all information received in connection with reports of sexual harassment. It may become necessary, however, to disclose particulars in the course of the investigation. All individuals who participate in an investigation have an obligation to maintain confidentiality of the matters discussed.

7. **Non-retaliation**

Retaliation against an individual for reporting sexual harassment or for participating in an investigation is strictly prohibited. Any act of reprisal violates this policy and will result in appropriate disciplinary action.

8. **Cooperation and Truthfulness**

Individuals who are asked to participate in an investigation are required to fully cooperate and to provide truthful information and responses to questions and inquiries.

9. **False Complaints**

It is a violation of this policy for anyone to make an intentionally false accusation of sexual harassment through the use of University procedures. Any employee or student who is found to have made an intentionally false accusation of sexual harassment will be subject to disciplinary action.

10. **Corrective Action**

Where sexual harassment is found, steps will be taken to ensure that the harassment is stopped immediately. Appropriate corrective measures may range from counseling, verbal or written reprimands, suspensions, or other action, up to and including dismissal, in accordance with established OHSU policies and procedures.

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**Revision History: June 24, 1997; March 15, 1999; October 9, 2001; October 22, 2010**

**Responsible Office: Affirmative Action and Equal Opportunity Department**