

The University of Texas at Arlington

Office of Equal Opportunity & Affirmative Action

Sexual Harassment

What is Sexual Harassment?

Sexual harassment is defined as *unwelcome* sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

- The submission by an employee or student to such conduct is made either explicitly or implicitly a term or condition of employment or scholastic achievement.
- The submission to or rejection of such conduct by an employee or student is used as the basis for employment or scholastic decision affecting the individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating or offensive working or scholastic environment.

Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students.

What is Sexual Misconduct?

Sexual misconduct includes sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature directed towards another individual that does not rise to the level of sexual harassment but is unprofessional and inappropriate for the workplace or classroom.

The University of Texas at Arlington Policy on Sexual Harassment

The University of Texas at Arlington is committed to an academic and employment environment free from unwelcome sexual advances, requests for sexual favors, and other forms of sexual harassment. Sexual harassment is a form of sex discrimination and is illegal. It is the policy of The University of Texas at Arlington that consensual relationships between faculty or staff members in positions of authority and their subordinates or their students are not prohibited. The University will take prompt disciplinary action against individuals who are found guilty of sexual harassment against employees and students.

What are the Types of Sexual Harassment?

Sexual harassment can take many forms. It can be verbal, non-verbal, or physical and can range from an overt suggestion that a person could receive a grade or salary increase by submitting to sexual advances to an advance or suggestion implied from the conduct, circumstance, and relationship of the individuals involved. Such conduct may create an intimidating, hostile, or offensive working or scholastic environment.

A third party can also claim sexual harassment when his or her employment or educational opportunity has been adversely affected by "sexual harassment" in the workplace or academic environment.

Verbal harassment may include, but is not limited to, the following:

- Sexual innuendoes, comments and sexual remarks about clothing, body, or sexual activities
- Repeated sexually oriented kidding, teasing, joking or flirting
- Verbal abuse of a sexual nature
- Derogatory or demeaning comments about women or men in general, whether sexual or not
- Suggestive or insulting sounds
- Offensive crude language
- Sexual propositions, invitations, or other pressure for sex
- Whistling in a suggestive manner

Non-verbal harassment may include, but is not limited to, the following:

- Offensive obscene gestures
- Ogling
- Displaying objects or pictures which are sexual in nature that would create a hostile or offensive work environment

Physical harassment may include, but is not limited to, the following:

- Patting, pinching, and any other inappropriate touching or feeling
- Brushing against the body
- Attempting or actual kissing or fondling
- Coerced sexual intercourse
- Assault

What You Can Do About Sexual Harassment

Ignoring sexual harassment does not make it go away. Indeed, it may make it worse because the harasser may misinterpret no response as a behavior.

You may be afraid that:

- You will suffer retaliation from the harasser.
- People will think you "asked for it".
- You have misread the harasser's intentions.
- You are somehow responsible for the harasser's behavior.

YOU ARE NOT ALONE. Don't accept these actions as the "way things are." You do not have to endure abuse from other people.

YOU CAN TAKE ACTION. Here are some of your options:

- **Know Your Rights**
Sexual harassment is illegal. The University of Texas at Arlington has a specific policy prohibiting sexual harassment. Familiarize yourself with Copies of the policy and assistance are available from the Equal Opportunity & Affirmative Action Office, phone 817.272.2106.
- **Speak Up at the Time**
Say "NO" clearly and firmly. Tell the harasser that their advances are unwelcomed and you want them stopped. Don't delay. Pay attention to comments indicating harassment. If a person's behavior makes you uncomfortable, say so.
- **Keep Records**
Keep a journal and any letters or notes received. Note the dates, times, places, witnesses, and the nature of the harassment — what was said and how you responded.
- **Seek Advice**
To determine whether your discomfort is really sexual harassment, seek help — the earlier the better. The campus office designated to assist staff, and student complaints is the Office of Equal Opportunity & Affirmative Action, phone 817.272.2106.

Resolving Complaints of Sexual Harassment

Charges of sexual harassment within the University community are sensitive and complex. The University of Texas at Arlington provides a system for you.

To bring forth a charge of sexual harassment the complainant must first contact the EOAA office. After discussing the situation, the complainant is presented with options on how to deal with harassment. These options may range from receiving suggestions on how to discourage the harasser to filing a formal written complaint. The University will investigate all complaint situations to protect the rights of both the person complaining and the harasser.

To file a formal written complaint, the following procedure has been developed:

- All formal complaints must be filed in the Equal Opportunity & Affirmative Action Office by completing an incident report as soon as possible, within 10 days of the initial visit to the EOAA Office.
- Each complaint is investigated by the EOAA Officer. A resolution on the complaint will be issued within 30 days of the EOAA Office's receipt of the complaint.
- If the investigation demonstrates reasonable cause that the harassment occurred, the EOAA Officer will notify the complainant and take appropriate action.
- If the investigation does not find reasonable cause that the harassment occurred, the EOAA Office will notify the complainant of such a finding.
- The EOAA Office's policy is to seek full and effective relief for victims of sexual harassment. Remedies are tailored to the circumstances and may include corrective, curative, or preventive actions taken to cure or correct the source of the identified harassment and minimize the cause of its recurrence; stopping the specific discriminatory practices involved in the case; proven violations will result in severe discipline, including discharge or expulsion.

Any faculty member, staff member, or student who is aware of a victim of sexual harassment or who has witnessed such conduct must inform Office. Failure to report such conduct may result in disciplinary action.

If the EOAA Office decision does not resolve an allegation to the complainant's satisfaction, the complainant has the right to pursue their comp following agencies:

US Equal Employment Opportunity Commission

(Dallas District Office)

207 S. Houston Street

Dallas TX 75202

Phone: 214.655.3355 TDD: 214.655.3363 Fax: 214.655.3443

<http://www.eeoc.gov/>

Texas Commission on Human Rights

PO Box 13493

Austin TX 78711

Phone: 512.437.3450

<http://www.hr.state.tx.us/Workforce/Plans/2002/344-plan-2002.pdf> (PDF)

US Office of Civil Rights of the Department of Education

(Dallas Office)

1999 Bryan Street, Suite 2600

Dallas TX 75201

Phone: 214.880.2459 TDD: 214.880.2456 Fax: 214.880.3082

<http://www.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>

Read the complete UT Arlington Sexual Harassment Policy

Confidentiality

All inquiries and complaints will be kept confidential to the extent permitted by law. Information gathered will be used solely in the investigatic complaint and such information will be maintained in the EOAA Office.

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