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Sexual Harassment

Sexual harassment is defined by law and includes requests for sexual favors, sexual advances or other sexual conduct when (1) submission is either explicitly or implicitly a condition affecting academic or employment decisions; (2) the behavior is sufficiently severe or pervasive as to create an intimidating, hostile or repugnant environment; or (3) the behavior persists despite objection by the person to whom the conduct is directed. The University considers such behavior, whether physical or verbal, to be a breach of its standards of conduct and will seek to prevent such incidents and take corrective action when sexual harassment occurs.

Generally speaking, there are two types of sexual harassment, “quid pro quo” and hostile environment.

Quid Pro Quo Sexual Harassment

Quid pro quo (meaning “this for that”) sexual harassment occurs when it is stated or implied that an academic or employment decision about a student or employee depends upon whether the student or employee submits to conduct of a sexual nature. Quid pro quo sexual harassment also occurs when it is stated or implied that an individual must submit to conduct of a sexual nature in order to participate in a University program or activity. So, for example, if an employee is made to believe that a promotion is likely if the employee goes on a date with the employee’s supervisor, the employee is possibly being subjected to “quid pro quo” sexual harassment.

Hostile Environment Sexual Harassment

A sexually harassing hostile environment occurs when unwelcome conduct of a sexual nature (see examples, below) creates an intimidating, threatening or abusive working or learning environment or is so severe, persistent or pervasive that it affects a person’s ability to participate in or benefit from a University program or activity.

While a person engaging in harassing behavior most often has some form of power or authority over the person being harassed, that is not always the case. The harasser can be a peer of the person being harassed. Sometimes the harasser is harassing a person who has power over them. For example, a supervisee can sexually harass a supervisor or a student can sexually harass a faculty member.

To determine whether a hostile environment exists, the University examines the context, nature, scope, frequency, duration, and location of incidents, as well as the identity, number, and relationships of the persons involved. Another factor in determining if a hostile environment exists is whether, on balance, the harassing conduct is sufficiently severe, pervasive or persistent as to alter the conditions of the environment and create an abusive environment, when judged both objectively (meaning that a “reasonable person” would find the environment hostile) and subjectively (meaning the affected individual felt the environment was hostile). In some cases, a single incident may be so severe as to create a hostile environment. Such incidents may include injury to persons or property, or conduct threatening injury to persons or property.

See the discussion of [Hostile Environment Harassment](#) for additional information about prohibited harassment.

Conduct of a Sexual Nature

The following descriptions, while not all-inclusive, will help you understand the types of behavior that are considered “conduct of a sexual nature” and that, if unwelcome, may constitute sexual harassment:

Unwanted sexual statements

sexual or “dirty” jokes, comments on physical attributes, spreading rumors about or rating others as to sexual activity or performance, talking about one’s sexual activity in front of others and displaying or distributing sexually explicit drawings, pictures and/or written material. Unwanted sexual statements can be made in person, in writing, electronically (email, instant messaging, blogs, web pages, etc.) and otherwise.

Unwanted personal attention

letters, telephone calls, visits, pressure for sexual favors, pressure for unnecessary personal interaction and pressure for dates where a sexual/romantic intent appears evident but remains unwanted.

Unwanted physical or sexual advances

touching, hugging, kissing, fondling, touching oneself sexually for others to view, sexual assault, intercourse or other sexual activity.

Notice

The University cannot address sexual harassment unless it is aware it is occurring. Once the University has notice, it has a responsibility to respond. The response will be designed to determine whether the behavior at issue is sexual harassment and, if it is, the University will take action reasonably calculated to prevent recurrence and ensure that individuals are not restricted in their participation in or receipt of benefits of any University program or activity.

Where to go for Help

If you believe you are experiencing sexual harassment, you are encouraged to contact the appropriate university official (dean, director, HR Representative, etc.) and/or the [Office of Institutional Equity](#). There are also many [resources on campus](#) that provide assistance, support and information to individuals experiencing sexual harassment. If you are unsure which office to contact, contact the office that seems most appropriate, and that office will either assist you or help you make contact with a University office that can.

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