

Non-Discrimination/Non-Harassment

Haverford College is committed to providing a work environment free from all forms of unlawful discrimination because of race, color, gender, religion, age, national origin, disability, sexual orientation, veteran status or any other characteristic protected by law. This policy applies to all aspects of the employment relationship, such as recruitment, selection, training, promotion, salaries, benefits, discipline, terminations, and all other terms and conditions of employment.

This policy also includes a prohibition against sexual harassment and harassment on account of any protected category. It applies to all discrimination and/or harassment arising out of the College's work environment, whether on campus, outside work assignments, or elsewhere. It applies to all members of the College community, including interactions among current and potential employees of the College, as well as interactions among employees and students, and vendors and other business relationships. It governs all activity and forms of communication, including the use of telecommunications and computer devices and systems.

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when:

- submission to such verbal or physical conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to or rejection of such verbal or physical conduct is used as the basis for employment decisions affecting the individual; or
- such verbal or physical conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Some examples of what may constitute sexual harassment are: threatening or taking adverse employment actions if sexual favors are not granted; demands for sexual favors in exchange for favorable or preferential treatment; unwelcome flirtations or advances; unwelcome physical contact; whistling, leering, improper gestures, or offensive remarks, including unwelcome comments about appearance; sexual jokes or other inappropriate use of sexually explicit or offensive language; the display in the workplace of sexually suggestive objects or pictures; using any telecommunications or computer system to send, receive, or exhibit unwelcome discriminatory and/or sexual displays, etc.

For purposes of this policy, other discriminatory harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, gender, religion, age, national origin, disability, sexual orientation, veteran status or other characteristic protected by law, or that of his/her relatives, friends or associates, and that:

- has the purpose or effect of creating an intimidating, hostile, or offensive work environment, or unreasonably interfering with the individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

Some examples of such harassment are: using epithets, slurs, negative stereotypes, or threatening, intimidating or engaging in hostile acts that relate to a protected characteristic; purported jokes or pranks; placing on walls, bulletin boards or elsewhere on the College's premises, or circulating in the workplace verbal or written graphic material that denigrates or shows hostility or aversion toward a person or group because of a protected characteristic.

The College strongly encourages prompt reporting of all incidents of alleged discrimination/harassment. All employees are responsible for conducting themselves in accordance with this policy and for reporting possible problems to their supervisors, or to one of the College's Equal Employment Opportunity (EEO) Officers, or to the Director of Human Resources.

Any supervisor or manager who knows or suspects that an employee is being subjected to treatment that violates this policy is to report the matter to the Director of Human Resources. If the problem is identified as discrimination/harassment as defined in these guidelines, an EEO Officer will be contacted immediately.

When a report of a violation is received by one of the EEO Officers, the College will take prompt and appropriate action as it deems necessary to resolve the matter. Options for resolution include use of the College's Informal Resolution of Conflict procedure or the appointment of a Presidential Committee. A potentially aggrieved individual may wish to use the Informal Resolution of Conflict procedure, consulting an EEO Officer to register his/her complaint. At this time, the EEO Officer will advise the aggrieved employee of his/her options, which include:

- having a mediated discussion between the aggrieved employee and the person accused of alleged discrimination/harassment, with the EEO Officer present during the discussion; or
- having the EEO Officer mediate on behalf of the aggrieved employee, with the EEO Officer holding discussions with the person accused of alleged discrimination/harassment, bringing the complaint to his/her attention in hopes of bringing successful closure to the problem.

If the Informal Resolution of Conflict process fails or is inappropriate for the situation, the EEO Officer will notify the President of the College. The President then will decide if appropriate action can be taken based on the information already gathered, or whether a Presidential Committee is needed to investigate the facts of the alleged discrimination or harassment. The Presidential Committee members will be chosen from any of three previously elected panels (one of staff employees, a second of administrative/professional employees, a third of faculty employees). One person will be chosen from these panels by the aggrieved individual, and one will be chosen by the accused person. The President will choose the other three persons from employees elected to these three panels, naming one of them to chair the committee.

During the investigation, involved individuals are expected to cooperate and provide truthful information. The steps taken will vary depending on the nature of the allegations. Confidentiality will be maintained consistent with the College's need to investigate fully. During the process, an EEO Officer will accompany the aggrieved individual as a support person; the accused individual also may choose to be accompanied by another College employee serving as a support person. When the investigation is completed, the Committee will make a recommendation to the President, who can accept, modify, or reject the recommendation and will make the final decision. Upon completion of the process, the outcome will be communicated in writing to the aggrieved person and the person about whom the allegations were made.

In the event it finds that prohibited conduct occurred, the College will take prompt corrective action. Anyone found to have engaged in misconduct constituting discrimination/harassment will be disciplined, up to and including discharge. Discipline may include, but is not limited to, a written reprimand; referral to counseling; withholding a promotion, reassignment, or pay increase or supplement; suspension; or, discharge. This policy relates to the College's goal of promoting an environment free of discrimination and harassment. It is neither designed nor intended to limit the College's authority to take disciplinary or remedial action for conduct deemed unacceptable, regardless of whether it satisfies the legal definition of discrimination or harassment.

The College will not retaliate against anyone who makes a report in good faith under this policy, nor permit any employee to do so. The reporting and investigation of allegations of retaliation will follow the procedures detailed above. Any person found to have retaliated against an individual in violation of this policy will be subject to appropriate disciplinary action as described above.

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