



Affirmative Action/ Equal Opportunity

Sexual H

[Office & Staff](#)

[Resource Materials](#)

[Current Updates on AA/EO](#)

[Related AA/EO Links](#)

[Initiatives on Women's Issues](#)

[USU Diversity Handbook](#)

[Sexual Harassment](#)

[Laws & Orders](#)

[Policies & Procedures](#)

[Diversity Programs & Trainings](#)

Definition of Sexual Harassment

Forms Sexual Harassment Comes In

What To Do If You Are Sexually Ha

Who To Talk About Sexual Harassm

Laws Regarding Sexual Harassment

Definition of Sexual Harassme

(The following is base on a defin
Opportunity commission (EEOC
of students under Title XI of the

Unwelcome sexual advances, rec
or physical conduct of a sexual n

1. submission to such conduct is
or condition of person's employn

2. submission to, or rejection of :
the basis for employment or acad

3. such conduct unreasonably int
academic performance or creates
working, or learning environmen
Over the years, the courts have u
distinct forms of illegal sexual ha

1. **Quidpro quo**, which means "t
and is typified by the first two co

2. **Hostile environment**, which i

Yardstick For Evaluating Beha

Harassment

For a common sense, everyday way of looking at behavior to help recognize sexual harassment when it occurs, evaluate the behavior using the following "yardstick"

Sexual harassment is behavior that:

1. is unwanted or unwelcome
2. is sexual in nature or gender-based;
3. is severe, pervasive and/or repeated;
4. has an adverse impact on the workplace or academic environment;
5. often occurs in the context of a relationship where one person has more formal power than the other (such as a supervisor over an employee, or a faculty member over a student) or more informal power (such as one peer over another)

[back to top](#)

Sexual Harassment Comes in Many Forms

The following are behaviors which could be viewed as sexual harassment when they are unwelcome

VERBAL

- Whistling or making cat calls at someone
- Making sexual comments about a person's clothing or body
- Telling sexual jokes or stories
- Asking personal questions about sexual life, fantasies, preferences or history
- Repeatedly "asking out" a person who is not interested
- Turning work discussions to sexual topics
- Referring to an adult woman or man as a hunk, doll, babe or honey
- Telling lies or spreading rumors about a person's personal sex life

NON-VERBAL

- Paying unwanted attention to someone (i.e., staring, following, blocking a person's path)
- Displaying sexually suggestive visuals
- Making facial expressions such as winking, throwing kisses, or licking
- Giving personal gifts or a sexual nature
- Making sexual gestures with hands or through body movements

PHYSICAL

- Hanging around, standing close, or brushing up against a person
- Touching a person's clothing, hair, or body (to include giving a massage around the neck and shoulders)
- Touching or rubbing oneself sexually around another person
- Hugging, kissing, patting or stroking

[back to top](#)

What To Do If You Are Sexually Harassed

If you feel you are the victim of sexual harassment, you should try to immediately undertake some course of action. The Affirmative Action/Equal Opportunity (AA/EO) Office can provide advice and/or assistance to you in a timely, professional, and confidential manner. Remember, sexual harassment is against the law, it is not your fault and it does not "come with the job." Here are some specific options that you might want to consider:

1. Talk to the harasser if possible. Tell him/her that you find the behavior offensive. Describe how the harassment negatively affects your work.
2. Continue going to classes/work.
3. Document all sexual harassment incidents or conversations about the incidents. Record the date, time, place, people involved, and who said what to whom.
4. Consider talking to others (co-workers/student) to see if they have experienced sexual harassment.
5. Put your objection to the harassment in writing, sending a copy by (registered mail to the harasser and keeping one in your file. Say
 - a. On "this date" you did "this"
 - b. It made me feel "this"
 - c. I want "this" to happen next (i.e., I want "this" to stop)

[back to top](#)

Who To Talk To About Sexual Harassment Concerns

A. If you feel you are the victim of sexual harassment, you may talk to or file a complaint with: The Affirmative Action/Equal Opportunity Office, Old Main Room 161, 797-1266

B. You may also choose to file a complaint with one or more of the following state/federal offices:

- The Utah Anti-Discrimination Division in Salt Lake City
- The Equal Employment Opportunity Commission (EEOC)
- The Office of Civil Rights, U.S. Department of Education

C. You are encouraged to discuss the issue with your supervisor or somebody in your supervisory chain

D. There are several offices on campus that can assist you and possibly provide some support and you are encouraged to use them as resources. However, the AA/EO Office has ultimate responsibility for investigation and resolving complaints of sexual harassment at USU. Some of these other offices include:

- The Women's Center 797-1728
- The Counseling Center 797-1012

[back to top](#)

Sexual Harassment Is Against The Law

-Title VII of the Civil Rights Act of 1964, as amended, prohibits employment discrimination based on sex, including sexual harassment as a form of sex discrimination.

-Title IX of the Education Amendments of 1972, prohibits sex discrimination, including sexual harassment, in educational institutions.

-State of Utah Executive Order dated June 30, 1989, among other issues: prohibits sexual harassment "in any and every workplace in which public employees and employees of public higher education are required to conduct business;" Mandates sexual harassment awareness training; prohibits retaliation; requires institutions to develop and disseminate complaint procedures and "vigorously pursue the implementation of appropriate rules and policies."

-Utah State University Policy Number 339 (Sexual Harassment), forbids the sexual harassment of any student, employee, or recipient of University services. Policy Number 305 (Discrimination Complaints) establishes the University complaint procedure as applicable to victims of sexual harassment (and any other type of discrimination complaint). Both these policies were effective January 24, 1997. The discrimination complaint procedures establish that:

1. a complaint may be brought to the Affirmative Action/Equal Opportunity office within 180 days of occurrence;
2. the Affirmative Action/Equal Opportunity Director shall conduct an inquiry/investigation into the complaint;
3. an appeal may be filed if the findings are questioned by either party
4. all sexual harassment matters and all complaints will be handled with discretion, confidentiality, and respect for the privacy of all parties;
5. retaliation against an individual who has made charges, testified, assisted, or participated in any way in any proceeding, investigation, or hearing in regard to the violations, or alleged violations of laws or orders requiring equal educational and/or employment opportunity is prohibited.

[back to top](#)

[contact: carolyn.whelan@usu.edu](mailto:carolyn.whelan@usu.edu)