

Andrew University strives to maintain a workplace free of unlawful discrimination for its employees. Unlawful discrimination on account of age, race, ethnicity, disability, or gender is prohibited. For more information on sexual harassment, please visit http://www.eeoc.gov/types/sexual_harassment.html

SEXUAL HARASSMENT

For purposes of this document, sexual harassment is defined as conduct by an employer, supervisor, coworker or non-employee at the workplace that takes the form of

1. Unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature, which affect an individual's employment status or the terms, conditions or benefits of his or her employment. Some examples would be
 - A. A situation in which submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - B. A situation in which submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; or
 - C. A situation in which such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; or
 - D. A situation in which threats or suggestions are made that an individual's employment, future promotions, wages, etc., depend on submission to sexual demands or harassment.
2. Unwelcome sexually oriented statements (e.g. kidding, teasing, jokes, degrading or offensive sexual comments, sexual tricks);
3. Unnecessary or inappropriate touching of a sexual or abusive nature (e. g., patting, pinching, hugging, repeated brushing against another person's body);
4. Inappropriate visual conduct, including gesturing, which creates embarrassment or suggests an interest in sexual activity;
5. Suggestions, threats or demands for sexual favors or activity.

OTHER HARASSMENT AND DISCRIMINATION

Discrimination on account of age, race, ethnicity, disability or gender includes but is not limited to, the following:

1. Subjecting employees to derogatory remarks, insults, slurs, jokes or tricks based on age, race, ethnicity or disability;
2. Denying employees' opportunities for promotion, transfer or advancement on account of age, race, ethnicity or disability;
3. Limiting opportunities for promotion, transfer or advancement on account of age, race, ethnicity or disability;
4. Requiring employees to perform physically more difficult tasks or less desirable work assignments in order to induce retirement or resignation.

COMMUNICATION OF POLICY

Andrews University strives to maintain a working environment free from discrimination and harassment. The University seeks to accomplish this by informing employees that discrimination and harassment, as defined above, violates the law and the Christian values upheld by the University, and is for both reasons expressly prohibited. Communicating the policy to all employees includes informing all employees of their right to complain of such discrimination and harassment without fear of retaliation, offering training to appropriate parties in the procedures to be followed in handling incidents of such discrimination and harassment, and specifying the disciplinary actions for such discrimination and harassment.

The University shall annually distribute a statement on discrimination including sexual harassment and announce the name of the Sexual Harassment Compliance Officer and Affirmative Action Officer with whom discrimination and harassment complaints may be lodged.

REPORTING INCIDENTS

Employees who believe that they have been wrongfully harassed by supervisors, fellow employees, clients, or non-employees at the workplace should immediately take the following steps:

1. Indicate to the person discriminating or harassing that such conduct is offensive and should be stopped immediately;
2. Report the incident confidentially to one of the following: a) the immediate department Director, b) the HR Director, c) Associate HR Director, d) the Sexual Harassment officer or Affirmative Action) other supervisory staff;
3. Submit to the appropriate officer a written, confidential statement describing the incident and identifying potential witnesses.

4. Attempt, consistent with Biblical admonition, to reach a mutually agreeable resolution.

THIRD-PARTY REPORTS

Employees who become aware of possible incidents of unlawful discrimination including sexual harassment are encouraged to report such incidents to their department director or to the HR Director or Associate Director immediately.

INVESTIGATIONS

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If a complaint has been lodged under the above conditions, the appropriate officer will review the complaint and, within seven working days from the filing of the complaint, determine whether a formal committee investigation will be conducted.

If a formal committee investigation is not conducted, an informal investigation will be made by Human Resources, the Affirmative Action Officer or the Sexual Harassment Compliance Officer. Documentation regarding the investigation will be maintained in the appropriate Officers files. Necessary corrective action will be taken in consultation with the President following either type of investigation. Retaliation will not be tolerated in any instance.

Formal Committee Investigation

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In the event of a full committee investigation, the composition of each six-person committee shall be as follows:

1. Appropriate Officer (Sexual Harassment /Affirmative Action)
2. Three Standing Committee Members (Sexual Harassment/Affirmative Action)
3. A Representative recommended by Complainant
4. A Representative recommended by Respondent

STANDING COMMITTEE MEMBERS

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Each officer shall submit five names to the President. The President shall select three from each list to serve on the standing committee. The standing committee members shall serve for one fiscal year.

REPRESENTATIVES OF THE PARTIES

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Upon determining that a full committee investigation is necessary, the appropriate officer shall ask each party to submit two names of University employees. Persons named in the above categories should not have a direct reporting relationship with either complainant

or respondent. From these names, the President shall select one representative for each party. The party representatives shall serve for the duration of the investigation. In the event that either party fails to submit one or both requested names, the President shall proceed to select representatives for the party.

Interim Corrective Action

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When necessary, immediate interim corrective actions may be taken by the University, at the President's discretion prior to the conclusion of the investigation.

Investigative Process

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When a formal committee is formed, the HR Director or the designee will meet with the investigation committee to review confidentiality, procedures, roles and responsibilities of the committee. Notes should be factual and objective, disclosing what actually happened.

During the investigative process, the Committee shall perform the following tasks as appropriate:

1. Collect and review relevant data
2. Interview complainant and obtain or prepare a signed statement
3. Interview the respondent and obtain or prepare a signed statement
4. Interview witnesses and obtain or prepare signed statements
5. Review data objectively
6. Draft a summary of the investigation
7. Make specific findings, including whether or not the incident occurred.
8. Develop recommendations
9. Document findings upon which recommendations are based.
10. Draft a summary of the committee's investigations.
11. Prepare a report with the summary of investigations and committees' findings and recommendations.

Submission of Findings and Recommendations

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The investigation committee shall submit its report in writing to the President within 30 days of setting up of the committee. If circumstances require additional time, the committee shall request an extension in writing to the president.

Implementation

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The implementation of recommendations shall be at the discretion of the President.