Sexual Harassment Is Against The Law

Sexual harassment is sex discrimination under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 and codified in Mass. General Laws Ch. 151B and 151C. Under these laws, educational institutions are responsible for preventing sexual harassment of their students and employees. Sexual harassment is also a violation of University policy.

For questions or a copy of the Sexual Harassment Policy and Procedures contact the Office of Equal Opportunity and Diversity (5-3464) or visit www.umass.edu/eod. Both formal and informal channels are available for members of the University community to utilize in resolving sexual harassment problems.

What To Do And Where To Go

- Say "NO" clearly
- Keep a written record of dates and times of incidents
- Tell someone you trust
- Get help or information from any of the following:

  **Office of Equal Opportunity And Diversity (EO&D)**
  5-3464
  filing of formal charges; advice regarding the grievance process; information about options and resources

  **Ombuds Office**
  5-0867
  informal resolution; referral; information

  **Everywoman’s Center**
  5-0883
  personal counseling and advocacy; information and referral

  **Dean of Students**
  5-2684
  Complaints between students; referral

Contacts Who Can Assist You

**Support and Referral Contacts**

The Office of Equal Opportunity & Diversity maintains a current list of support and referral contacts who offer advice concerning options for confronting sexual harassment, make referrals, do follow-up and provide support during complaint resolution process. Support and referral contacts are:

- Chona R. Lauyan
  chonal@acad.umass.edu
  413 545-1844

- Tai D. Gedeon
  taig@acad.umass.edu
  413 545-0031

- Mary E. Wardwell
  wardwell@ombuds.umass.edu
  413 545-0867

**Complaint Handlers**

Receive sexual harassment complaints, advise regarding options, fact find, resolve informal complaints, report complaints to EO&D and do appropriate follow-up to ensure non-retaliation. Department Heads and Chairs, Managers, Directors, Deans, Vice Chancellors and all administrators with line authority are designated complaint handlers.

**Other Agencies Which Can Help**

- **Faculty & Staff Assistance Program (FSAP)**
  5-0350
  personal counseling and referrals for faculty and staff

- **Legal Services Office**
  5-1995
  advice, counsel, referral, and community legal education for students

- **Office of Human Relations**
  5-0851
  information and referral

- **Student Center for Educational Research and Advocacy (SCERA)**
  5-0355
  information and referral; advocacy and support service for students

University Police

- Emergency
  911
- Everywoman’s Center Rape Hot Line
  5-0800
- Public Safety Rape Hot Line
  5-2677

Contact Your Collective Bargaining Unit

If you are an employee represented by a collective bargaining unit, you should also contact the appropriate office for advice and assistance.

- Am. Fed. of State, County and Municipal Emp. (AFSCME/Local 1776)
  5-2831
  service, maintenance and trades

- Graduate Employees Organization (GEO/UAW/Local 2322)
  5-0705
  graduate student instructors

- International Brotherhood of Police Officers (IBPO/Local A)
  5-2121
  patrol officers

- International Brotherhood of Police Officers (IBPO/Local B)
  5-2121
  supervisors

- Massachusetts Society of Professors (MSP/MTA/NEA)
  5-2206
  faculty and librarians

- The Resident Assistants Union (UAW/Local 2322)
  7-2629
  resident and community development assistants

- Service Employees International Union (SEIU/Local 509/Unit A)
  5-4509
  professional staff

- Service Employees International Union (SEIU/Local 509/Unit B)
  5-4509
  classified supervisors

- University Staff Association (USA/MTA)
  5-0165
  classified clerical and technical staff
Sexual Harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

Sexual Harassment may occur between a supervisor and an employee (including student employees), a professor and a student, one student and another, or one employee and another.

Sexual Harassment Occurs When

- Acceptance or rejection of sexual advances is a condition of your education or employment;
- Acceptance or rejection of sexual advances affects your grades, your performance evaluation, or any academic or personnel decision that concerns you; or
- Unwelcome sexual actions interfere with your performance or create an intimidating, hostile, sexually offensive work or educational environment.

Sexually Harassing Behavior May Include

- Repeated unwanted sexual flirtations, advances or propositions;
- Continued or repeated verbal abuse or innuendo of a sexual nature;
- Uninvited physical contact such as touching, hugging, patting, brushing or pinching;
- Verbal comments of a sexual nature about an individual’s body or sexual terms used to describe an individual;
- Display of pictures, posters or cartoons that a reasonable person would find offensive or sexually suggestive;
- Continued or repeated jokes, language, epithets or remarks of a sexual nature;
- Prolonged staring or leering;
- Making obscene gestures or suggestive or insulting sounds;
- Demand for sexual favors accompanied by an implied or overt threat concerning an individual’s employment or academic status or promises of preferential treatment;
- Indecent exposure.

For Example:

- An instructor, supervisor, co-worker, or student hugs, pats, or otherwise touches you in a sexual way that upsets you or interferes with your work or education.
- Your supervisor offers you a promotion in return for your sexual attention and/or threatens reprisal if you refuse.
- A teaching assistant makes repeated sexual comments or asks you questions of a sexual nature which interfere with your work or concentration.
- An instructor promises you a better grade or academic opportunity in return for your sexual attention or implies your academic record will suffer if you refuse.
- Another student or staff member persistently asks you out (despite your answer of “no”), follows you, corner you in a classroom or in an office, and/or won’t leave you alone.
- Your supervisor or co-worker persistently uses crude, sexual language which you find offensive, demeaning, and inappropriate in a job-related context.
- A colleague tells you he/she will favorably influence your tenure case if you agree to date.
- Sexual harassment can take many other forms.

What Can I Do If I Think I Am Being Sexually Harassed?

First say "NO" clearly and firmly. Don't ignore the situation and hope it will stop.

Report it. Even if you decide not to press charges, it is important to report incidents of harassment and to discuss your options for handling it. You can report harassment to the agencies offered at the end of this brochure.

Consider writing a letter to the harasser, stating what was done, why it was objectionable, and that you want it to stop. Be polite, but firm and clear. If you do write a letter, keep a copy.

Make a file and keep complete records. Note dates, places, times, witnesses, and the nature of the harassment. Record what was said as accurately as possible. You may need this information later. Don't rely solely on your memory.

Talk to co-workers or other students. Find out if the same person has harassed others and if they can support you if you take action.

What Can I Do If Someone I Know Is Sexually Harassed?

Be supportive. Because people who have been harassed may be embarrassed or fear they may not be believed, it is important to listen carefully and sympathetically. Let them know you are concerned. Encourage them to report the harassment and take action. If you are a witness to the harassment, be willing to testify about it.

How Can I Help Prevent Harassment?

Be aware. Learn about sexual harassment. Be aware of your own behavior and the behavior of others that may be offensive.

Don't accept it. Don't participate in it. Don't condone it by your silence.

Talk about it. Recognize it for the dehumanizing behavior it is. Work to change it.

What Should I Do If I Am Accused Of Sexual Harassment?

Seek the advice of one of the contacts listed at the end of this brochure. In addition, if you are represented by a union, you should report the situation and enlist its assistance.

What About Faculty/Student Relationships?

Consenting faculty/student relationships do occur. However, there is always an underlying power imbalance in such relationships and both parties should be aware of the potential danger, especially if the relationship changes.

Everyone Is Affected By Sexual Harassment

Although sexual harassment is usually done by men who exert some power over women, it is certainly possible for men to be harassed by women and for same sex harassment to occur. Both men and women can be harassed by co-workers or students who are not in a position of institutional power over them, but who can adversely affect their ability to succeed in their employment or academic work.

The integrity of the University community suffers when a sexual harasser remains free to harass others. As a community, we must resolve to eradicate every type of sexual harassment from our Campus.