





name is associated with a certain racial, religious or other protected category;

Calling an individual by an unwanted nickname that refers to one or more of the above protected categories, or telling jokes pertaining to one or more protected categories;

Using derogatory references with regard to any of the protected categories in any communication;

Engaging in threatening, intimidating, or hostile acts toward another individual in the workplace because that individual belongs to, or is associated with, any of the protected categories; or

Displaying or distributing material (including electronic communications) in the workplace that contains derogatory or demeaning language or images pertaining to any of the protected categories.

## B. Sexual Harassment

It is a violation of this policy to engage in sexual (or gender-based) harassment of any kind, including hostile work environment harassment, quid pro quo harassment, or same-sex harassment. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

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.

Examples of prohibited behaviors that may constitute sexual harassment and are therefore a violation of this policy include, but are not limited to:

Generalized gender-based remarks and comments;

Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another's body or impeding or blocking movement;

Sexual physical contact that involves any form of coercion, force, or lack of consent, such as sexual assault;

Verbal, written or electronic sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mail, text messages, invitations, gestures or inappropriate comments about a person's appearance;

Visual contact, such as leering or staring at another's body; gesturing; displaying sexually suggestive objects, cartoons, posters, magazines or pictures of scantily-clad individuals; or displaying sexually

suggestive material on a publicly-accessed platform, e.g., bulletin board, locker room wall, screen saver;

Explicit or implicit suggestions of sex by a supervisor or manager in return for a favorable employment action such as hiring, compensation, promotion, or retention;

Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluation or promotional opportunity; or

Continuing to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

### III. CONSENSUAL RELATIONSHIPS

Because the relationship between supervisor/supervisee is central to the working relationship, it is essential to establish that a standard of expected conduct in that relationship goes beyond the proscription against sexual harassment. With respect to sexual relations in particular, what might appear to be consensual, even to the parties involved, may in fact not be so. On this basis, any sexual relations between supervisor and a subordinate of that supervisor are inappropriate. Any person in a supervisory capacity or a position of authority enters at their peril into sexual relations with a subordinate.

### IV. EMPLOYEE RESPONSIBILITIES

Any employee who believes that they have been subjected to any form of prohibited discrimination/harassment, or who witnesses others being subjected to such discrimination/harassment, is encouraged to promptly report the incident(s) to a supervisor or directly to the University's Chief Officer for EEO and Compliance or to any other persons designated by the University to receive workplace discrimination complaints. A person who wishes to take action about prohibited sexual physical contact can file a criminal complaint with the Stockton Police Department or with law enforcement of the municipality where the incident occurred. That person can also make a criminal report and a report to their supervisor/manager and/or Equal Employment Opportunity/Affirmative Action (EEO/AA) Officer; one does not have to choose one or the other.

All employees are expected to cooperate with investigations undertaken pursuant to VII below. Failure to cooperate in an investigation may result in administrative and/or disciplinary action, up to and including termination of employment.

### V. SUPERVISOR RESPONSIBILITIES

Supervisors shall make every effort to maintain a work environment that is free





