

Policy on Sexual Harassment

GOVERNANCE AND LEGAL

Effective Date: February 1, 2001

Date Revised: September 19, 2013

Supersedes: N/A

Related Policies:
Code of Ethical Conduct
Policy on Equal Opportunity
Policy on Non-Fraternization

Responsible Office/Department:
Office of Institutional Diversity and Inclusion

Keywords:
Discrimination; Equal Opportunity; Harassment; Retaliation; Title IX.

I. Purpose and Scope

Northeastern University is committed to providing equal opportunity to its students and employees, and to eliminating discrimination when it occurs. This Policy applies to all members of the University community, including students, faculty, staff, affiliates, and volunteers when acting on behalf of the University, whether on or off campus, as well as to contractors, parents, and visitors when they are on University property.

II. Definitions

Sexual Harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is sexual harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, benefits, housing, or participation in a University activity.

Submission to or rejection of such conduct by an individual is considered or used as the basis in decisions affecting that individual's employment, education, benefits, housing, or participation in a University activity.

Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or educational performance by creating an intimidating, hostile or offensive environment for that individual's employment, education, benefits, housing, or participation in a University activity.

Whenever the word “discrimination” is used in this policy it is intended to include not only complaints of discrimination, but also complaints of harassment, including sexual harassment, and complaints of retaliatory behavior of any kind.

The legal definition of sexual harassment is broad and in addition to the above examples other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment. While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances. This list is not intended to be exhaustive:

Unwelcome sexual advances – whether they involve physical touching or not;

Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life;

Comment on an individual’s body, sexual activity, deficiencies or prowess;

Communicating by any electronic means or displaying sexually suggestive objects, statements, pictures, cartoons;

Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.

III. Policy

Northeastern University strictly prohibits all forms of sexual harassment. Every member of the Northeastern University community, including students, faculty, staff, contractors, alumni, parents, and visitors may have:

The right to bring a complaint of sexual harassment.

The duty to refrain from engaging in sexual harassment.

The responsibility to report harassing behavior which may come to his or her attention.

The obligation to cooperate fully in the investigation of such complaints.

The duty to keep information confidential.

The University reserves the right to address any behavior which it considers inappropriate or inconsistent with University expectations, standards or values, even though such behavior may not rise to the level of discrimination pursuant to this policy or under state or federal law. Nothing in this policy is intended to limit the authority of Northeastern University to take appropriate action against any individual who violates University rules or policies, whether or not the conduct constitutes a violation of this policy or the University's Equal Opportunity Policy. The University may assume the role of a Complainant and pursue a report or complaint of discrimination or harassment either informally or formally.

A determination of whether conduct is considered discriminatory or harassing in violation of the University's policies is dependent upon the totality of the circumstances, including the pervasiveness and severity of the conduct.

Any student found responsible for sexual harassment is subject to disciplinary action up to and including expulsion from the University. An employee found to have committed sexual harassment in violation of this policy is subject to disciplinary action up to and including termination.

Retaliation:

It is unlawful to take adverse actions against any member of the Northeastern community for filing a complaint of harassment or discrimination, or for cooperating in an investigation of such a complaint. Retaliation against a member of the Northeastern community who, in good faith, reports alleged harassment or who participates in an investigation is a violation of our policy and is subject to appropriate discipline. Retaliation may have an adverse impact in the following areas: hiring, firing, promotions, demotions, compensation, benefits, grading, pressure to withdraw from class, ignoring, refusing requests for assistance. This list is not exhaustive.

Filing a Complaint:

If you feel that you have been subjected to sexual harassment, you may file a formal complaint with the Office of Institutional Diversity and Inclusion.

360 Huntington Avenue, 125 Richards Hall
Boston, MA 02115
Phone: (617) 373-2133
Fax: (617) 373-4146
John Armendariz, Vice Provost for Diversity and Inclusion
j.armendariz@neu.edu

Mary Ann Phillips, EEO Manager/ADA Coordinator
m.phillips@neu.edu

IV. Additional Information

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with any of the government agencies set forth below. Using our internal complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

The Regional Director, Office for Civil Rights, United States Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109; (617) 289-0111 www.ed.gov/ocr

Massachusetts Commission Against Discrimination (MCAD), One Ashburton Place, Suite 601, Boston, Massachusetts 02108-1518; (617) 994-6000, www.mass.gov/mcad

Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203. (800) 669-4000, <http://www.eeoc.gov/>.

V. Contact Information

Inquiries regarding the University's nondiscrimination and harassment policies may be directed to:

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