

The Office of Employment Equity (OEE)

Investigative Functions of the OEE

Investigates Complaints filed under the University Policies Administered by the OEE:

- The Policy Prohibiting Discrimination and Harassment
- The Title IX Policy and Grievance Procedures
- The Policy Prohibiting Workplace Violence
- The Conscientious Employee Protection Policy

Against Whom Does OEE Investigate Complaints?

- Faculty members
- Staff members
- Student workers, i.e., students alleged to have violated a Policy while working in their capacity as a full- or part-time employee of the University
- Third parties, e.g., vendors, contractors, etc.
- **Not** students acting in a student capacity

What Conduct Is Prohibited by Each of These Policies?

The Policy Prohibiting Discrimination and Harassment (Policy 60.1.12)

- Prohibits discrimination, which is defined as an act that negatively affects employment or educational opportunities based on membership in one or more protected classes. Protected classes include the following: age, sex, disability, sexual orientation, religion, gender identity/expression, etc. Protected classes are listed in Policy.
- Also prohibits harassment, which is defined as conduct based on membership in a protected class that is sufficiently severe or pervasive to create an offensive or hostile work/living/learning environment. E.g., racist or sexist comments, etc.

The Title IX Policy and Grievance Procedures

The Title IX Policy and Grievance Procedures (Policy 60.1.33)

Prohibits Any Conduct on the Basis of Sex that Constitutes One or More of the Following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo harassment)
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity
- Sexual assault which includes any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent
- Dating violence
- Domestic violence
- Stalking

The Policy Prohibiting Workplace Violence

The Policy Prohibiting Workplace Violence (Policy 60.1.13) Prohibits the Following Conduct:

Workplace violence is defined as any actual or threatening behavior of a violent nature, as understood by a reasonable person, exhibited by faculty, staff, student employees, or others within the scope of this Policy.

Examples of workplace violence include, but are not limited to:

- Intentional physical contact for the purpose of causing harm (such as slapping, punching, or otherwise physically attacking a person)
- Menacing or threatening behavior (such as throwing objects, waving fists, damaging property, stalking, or making verbal or written threats)

The Conscientious Employee Protection Policy

The Conscientious Employee Protection Policy (Policy 60.1.16) Prohibits the Following Conduct:

The “whistleblower” Policy. Provides that Rutgers University will not take any retaliatory action against an employee because the employee:

- Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy, or practice that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law by the employer
- Pertains strictly to retaliation against employees – not students

Resources Regarding Investigations - Office of Employment Equity

57 U.S. Highway 1, Cook Campus (ASB II)

848-932-3973

<http://uhr.rutgers.edu/uhr-units-offices/office-employment-equity>

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We can answer any questions you may have regarding University Policies administered by the OEE as well as the investigation process.

Questions?