

EQUAL EMPLOYMENT OPPORTUNITY

Responsible Office: Human Resources
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Webster University Equal Employment Opportunity Policy

PURPOSE

Webster University (“University”) operates under a policy of providing equal employment opportunities to all employees and employment applicants without regard to race, religion, creed, color, national origin, sex, pregnancy, sexual orientation, gender identity, age, ancestry, physical or mental disability, genetic information, marital status, or any other classification protected by any applicable law.

I. POLICY

The University prohibits unlawful discrimination on the basis of race, religion, creed, color, national origin, sex, pregnancy, sexual orientation, gender identity, age, ancestry, physical or mental disability, genetic background, marital status, or other classification or association protected by applicable law. The University requires all employees to support this policy, and to take all steps necessary to maintain a workplace free from unlawful discrimination and harassment and to make disability-related and religion-related accommodations to the fullest extent required by law. The University will not discriminate against any person who has acted in good faith to complain about discrimination or retaliation, to file a charge of discrimination, or to participate in an employment discrimination investigation or lawsuit.

II. POLICY SCOPE

This policy applies to all full-time and part-time University employees (and applicants for full and part-time employment positions) on all University campuses or other teaching/learning locations, and to all aspects of employment, including, but not limited to, hiring, job assignment, working conditions, compensation, promotion, benefits, scheduling, training, discipline and termination. Likewise, where required by applicable law, this policy applies to contractor relationships, as well.

III. REASONABLE ACCOMMODATIONS

The University will make reasonable accommodations in line with this policy to the fullest extent required by law. For example, the University will make reasonable accommodations for an employee’s observance of religious holidays and practices unless the accommodation would cause an undue hardship on the University’s operations. If an employee desires a specific accommodation, the employee should request the accommodation in writing and submit it to the Office of Human Resources as far in advance as possible. Furthermore, employees requesting an

accommodation based on a disability should refer to the University's Disability and Accommodation Policy.

IV. SEXUAL AND OTHER UNLAWFUL HARASSMENT

This policy's prohibition of discrimination based on sex includes a prohibition of sexual harassment as that concept is understood under Title VII of the Civil Rights Act of 1964 and any other similar applicable law (collectively, "Title VII"). The University is committed to providing a workplace free of sexual harassment, as well as harassment based on such factors as race, color, religion, national origin, ancestry, age, disability, medical condition, marital status, sexual orientation, gender identity, or any other basis protected by applicable law. The University strongly disapproves of and will not tolerate harassment of employees, applicants, students, or independent contractors by anyone. Similarly, the University will not tolerate harassment by its employees of non-employees with whom the University employees have a business, service, or professional relationship. The University will also protect employees from harassment by non-employees in the workplace.

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with work performance. Such conduct constitutes harassment when: (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment.

Harassing conduct can take many forms and include, but is not limited to, slurs, jokes, statements, gestures, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, drawings, or cartoons based upon an employee's sex, race, color, national origin, religion, age, disability, medical condition, ancestry, marital status, sexual orientation, gender identity, or veterans status.

The University has published a separate Title IX Policy on Sex Discrimination, Including Sexual Harassment ("Title IX Policy") as required by Title IX of the Education Amendments Act of 1972 and the federal regulations promulgated thereunder (collectively "Title IX"). Recognizing, however, that the concept of "sexual harassment" is more narrow under Title IX than it is under Title VII, the University intends for this policy to prohibit any conduct that falls short of constituting "sexual harassment" under Title IX but that would qualify as "sexual harassment" under Title VII. Because a hostile-free work environment is important, the University may take disciplinary action under this policy against an employee who exhibits poor judgment or engages in inappropriate behavior, including sexually inappropriate conduct, even if it is welcome or falls short of being severe or pervasive. Harassing behavior is unacceptable in the workplace itself as well as in other work-related settings, such as business trips, business-related social events, and other University-related circumstances.

Furthermore, as acknowledged in the Title IX Policy, allegations and formal complaints of sexual harassment that are dismissed for lack of jurisdiction under the Title IX Policy may be transferred to the University's Human Resources department for investigation and possible disciplinary action. For more information regarding the scope sexual harassment under Title IX,

contact the University's Title IX Coordinator, Kimberly Pert, 200 Hazel Ave., St. Louis, MO 63119; 314-246-7780; pertk61@webster.edu. The University's Title IX Coordinator is designated and authorized by the University to coordinate all of the University's efforts to comply with Title IX and to administer the University's Title IX Policy.

V. COMPLAINT PROCESS

Upon experiencing or witnessing discrimination, harassment, other than sexual harassment under Title IX, or retaliation in violation of this policy, a person should report any violation to the Office of Human Resources by completing an [HR Incident Report Form](#). The University's Office of Human Resources is responsible for overseeing the investigation of all discrimination, harassment, or retaliation complaints for University employees, and those allegations will be handled in accordance with the Grievance Policy and Procedure. 

Regardless of what University office handles a particular report or complaint of discrimination or harassment, a prompt, thorough, and impartial investigation of the complaint will be conducted. Furthermore, regardless of which policy an individual utilizes for any complaint of harassment, discrimination, or retaliation, the University will evaluate the complaint and address the complaint pursuant to the appropriate University policy that is implicated by the complaint. When appropriate, any employee who violates this policy will be subject to corrective action up to and including termination of employment. The University prohibits any form of retaliation against employees for reporting a complaint or providing information about discrimination, harassment, or retaliation.

VI. INVESTIGATIONS

Every reported complaint of discrimination, retaliation or harassment in violation of this policy will be investigated thoroughly, promptly and in a confidential manner to the extent possible. However, given the nature of an investigation, which typically requires interviews with witnesses, the University cannot guarantee absolute confidentiality with respect to matters handled under this policy.

Upon completion of an investigation of discrimination, retaliation or harassment under this policy, the University will communicate its findings and intended actions to the complainant and the person(s) accused of having violated this policy as expeditiously as possible. If the investigator finds that discrimination, retaliation or harassment in violation of this policy occurred, the person who has violated this policy will be subject to appropriate instructive and/or disciplinary procedures. In the case of University employees, if discrimination, retaliation or harassment in violation of this policy is established, disciplinary action for a violation of this policy may range from verbal or written warnings up to and including immediate termination of employment, depending upon the circumstances. With regard to policy violations by non-employees, corrective action will be taken after consultation with appropriate University personnel.

The University takes all complaints pursuant to this policy seriously. Accordingly, any individual found to have knowingly made a false report or complaint in bad faith will be subject to corrective action up to and including separation of employment. Likewise, any individual found

to have knowingly made a false statement in any other Human Resources investigation or similar proceeding or any investigation or proceeding conducted by the University's Title IX office may result in corrective action up to and including separation of employment.

VII. RETALIATION

Retaliation against anyone who has, in good faith, reported a violation of this policy or has participated in any investigation or proceeding undertaken pursuant to this policy is prohibited and will not be tolerated. Even if an underlying complaint of discrimination or harassment in violation of this policy is found to be unsubstantiated, if the underlying complaint has been made in good faith, the complaining party is protected by this policy against retaliation. Retaliation, standing alone, is a serious violation of this policy, and it should be reported immediately when experienced or witnessed. Any person who engages in retaliatory conduct prohibited by this policy towards any employee or other person who cooperated in an investigation or made a complaint of a policy violation will be subject to disciplinary action up to and including termination of employment.

VIII. CONFIDENTIALITY

The University attempts to maintain confidentiality in investigations where possible. However, given the nature of an investigation, which typically requires interviews with witnesses, the University cannot guarantee absolute confidentiality. The University will only reveal information relating to an investigation to those individuals with a need to know or to the extent otherwise required by law.

Additionally, your medical information is confidential. Disclosure of your medical information is restricted to limited situations where a manager or supervisor has a job-related reason to know it. Employees who disclose employee medical information without proper authorization will be subject to disciplinary action, up to and including separation of employment.