

WHERE ON CAMPUS CAN YOU GET HELP ?

If the harassment is on-going, if the initial incident is highly disturbing or humiliating, or if at any time you feel threatened, it is important for you to discuss the situation with someone who can intervene.

Request a meeting with the appropriate supervisory or administrative personnel. Be prepared to describe clearly and in detail the nature of the sexual harassment and to request that the harassment stop.

Another source of assistance, advice, or intervention is the staff in the Office of Equity, Diversity, and Affirmative Action Administration, 406 Capen, 645-2266. You may speak confidentially to the Director or to a senior staff member.

RELATED POLICIES

Regardless of the options you pursue in dealing with harassment, University policy provides for the following:

1. Complaints will be handled with confidentiality. University procedures for investigating and resolving sexual harassment complaints ensure confidentiality for all parties to the extent possible. In each case, the complaint investigator will seek the permission of the individual bringing the complaint before disclosing information and will discuss any concerns regarding confidentiality.
2. Complaints will be handled as quickly as possible. If an extension of investigation or resolution period is required, the parties involved will be updated regularly on the status of the inquiry.
3. Retaliatory behavior will be addressed. Retaliation for filing a complaint is illegal and violates University policy. Retaliatory behavior can take many forms: discriminatory action that may affect work or grades, ostracism or further objectionable behavior by the person against whom a complaint was made. The fear of such actions may prevent many from reporting harassment. Be assured retaliatory actions related to a sexual harassment complaint will be treated seriously.

SEXUAL HARASSMENT: THE LAWS

Sexual harassment is a form of unlawful discrimination. It is a violation of federal law under Section 203 of Title VII of the 1964 Civil Rights Act, as amended in 1972; under Title IX of the Education Amendment of 1972 and under Executive Order 11246. In addition, New York Executive Order 19 forbids sexual harassment in state agencies. The NYS Human Rights Law extends this protection to all employees within New York State.

UNIVERSITY AT BUFFALO POLICY ON SEXUAL HARASSMENT

4.3 Sexual Harassment

Sexual harassment of employees and students, as defined below, is contrary to University policy and is a violation of federal and state laws and regulations.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement; (2) submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive environment.

No University employee of either sex shall impose a requirement of sexual cooperation as a condition of employment or academic advancement, or in any way contribute to or support unwelcome physical or verbal sexual behavior.

Any member of the University community who requires additional information, wishes to make a complaint or to receive a copy of the University procedures to be followed for resolving complaints of sexual harassment should contact the Office of Equity, Diversity, and Affirmative Action Administration, 406 Capen, 645-2266.

Sexual harassment of any type is considered unacceptable at the State University of New York at Buffalo.

Prepared by
OFFICE OF EQUITY, DIVERSITY AND AFFIRMATIVE ACTION ADMINISTRATION
The State University of New York at Buffalo
406 Capen Hall, Buffalo, NY 14260-1607
Phone: (716) 645-2266

Office Of



Equity
Diversity

Affirmative
Action

Administration

*Sexual
Harassment*
INFORMATION FOR
EMPLOYEES



University at Buffalo
The State University of New York

WHAT IS SEXUAL HARASSMENT ?

Any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile, or offensive environment.

WHO IS LIKELY TO BE HARASSED ?

The overwhelming majority of employees who encounter sex-related threats, demands, humiliating and intimidating behavior are females. Males may also, however, be the target of sexually-harassing behavior.

WHO IS THE HARASSER ?

The sexual harasser may be a person who is in a position of authority; someone who could affect your academic or employment status. He/she may be in a position to evaluate your performance, write recommendations or otherwise contribute to academic and/or career advancement.

However, the harasser could also be someone who has no authority to affect your academic or employment status. He or she could be a co-worker, a colleague, a visitor to the University, or an employee of the University.

The sexual harasser is anyone whose conduct has the purpose or effect of unreasonably interfering with your academic or work performance or whose conduct has the purpose or effect of creating an intimidating, hostile or offensive working, educational or living environment here at the University.

HOW DO YOU KNOW IF YOU ARE BEING HARASSED ?

Ask yourself:

1. Are comments made about my clothes, make-up and body more than my work?
2. Am I told intimate stories about marital problems and sexual escapades?
3. Does the harasser tell dirty little jokes, or show me lewd pictures that seem to imply sex with him or her is fun?
4. Are there attempts to get my sympathy with sad stories about a failing love life? Does the harasser say things about his or her spouse that embarrass me?
5. Is the harasser curious about my happiness, my dates, my sexual and emotional fulfillment?
6. Am I invited into his or her office to talk about nothing?
7. Does the harasser bump into me "accidentally", or try to fondle or kiss any part of my body?
8. Have I been told I'm his or her "type"?
9. Have I been whistled at in a suggestive manner?
10. Has it been suggested, implied, or plainly stated that the status and conditions of my academic standing or employment depend on granting sexual requests?
11. Does the harasser make obscene gestures, or leer at my body?
12. Did my academic or working conditions worsen after rejecting the harasser's sexual advances?
13. Is any of my work area decorated with centerfold-type posters or pictures, printed quotations having a sexual connotation, or other offensive objects or displays of a sexual nature?
14. Does the harasser call me at home to ask me out on a date, discuss personal matters, or talk about work issues that could have just as easily been discussed in the office?

THE IMPACT OF SEXUAL HARASSMENT

Common reactions of persons who are subjected to harassment include feelings of anger, guilt, helplessness, frustration, and fear. There are often concerns about personal safety, loss of privacy and the threat of possible retaliation if the situation is reported.

Sexual harassment undermines the self-confidence, well-being and peace of mind of the individual who is offended, and it damages the spirit of trust and collegiality that is central to our University community.

The State University of New York at Buffalo does not condone harassment of any kind and is dedicated to eliminating both blatant and subtle forms of sexual harassment within the University community.

Persons whose conduct is judged to be offensive or harassing or whose conduct is considered retaliatory towards their accuser may face disciplinary action including expulsion or loss of employment.

WHAT CAN YOU DO ?

Speak up at the time

If the sexual harassment is blatant: say NO. Say it firmly and without smiling. You want the harasser to know you are serious. State clearly that you don't like what was said or done and you want that behavior to stop. Another way to confront the harasser is to write him or her a letter. The letter should detail what the person did, how it made you feel and how it affected your work. The letter should specifically ask him/her to stop the behavior. In some cases, harassers don't realize that their behavior is offensive or unwelcome. A letter is an excellent way of clarifying your objection. A verbal or written objection is helpful but not essential if you decide to file a complaint at a later date.

Tell someone about it

Even if you are not sure you will report the incident, tell someone what happened. Discuss it openly with others. Find out if others have been harassed by the same person.

Keep records

Keep a diary or log of what is happening to you. Include dates, places, direct quotes, and names of other people who were present. Save any letters, cards, notes or e-mails sent to you. Let someone read your records. Keep everything in a safe place.

Get a witness

Ask someone to watch you when the harasser is around. Most advances are made when the harasser thinks no one is watching.

Seek advice or counseling

Individuals often feel powerless when confronted with situations described in the *How Do You Know* section, but there are people here on campus who are available and willing to help. You should seek support and advice on stopping sexual harassment. See the section: *Where on Campus You Can Get Help*.