

# Diversity and Equal Opportunity

Think **SUCCESS** ★ Think **TWU**



**Think**  
**Diversity**

**Diversity**-acknowledging, understanding, accepting, valuing and celebrating differences among people with respect to age, class, ethnicity, gender, physical and mental ability, race, sexual orientation, spiritual practice and public assistance status.

## Office of Human Resources

1215 Oakland Street

Denton, TX

Hours: Mon-Fri, 8 a.m. - 5 p.m.

Tel: 940-898-3555

## Important Points to Remember:

- Be Proactive!
- Eliminate and speak out against jokes, comments, emails or actions that may be discriminatory or sexually harassing.
- Inappropriate behavior/communication should not take place. Use the “reasonable person” guideline.
- Timely apologies are helpful when a mistake is made.
- Adhere to TWU’s Consensual Relationship Policy .
- Be civil. Be respectful of others and their freedom of speech.
- At the beginning of each semester, instructors are reminded to privately meet with students registered in Disability Support Services so that both the instructor and the student may agree upon requested accommodations for a specific class. The student initiates this interaction. It is suggested that the agreement be in writing and signed by both parties.
- Students do register in Disability Support Services during the semester. At that time, the student may talk to the instructor about accommodation requests.
- Students are reminded to adhere to the Academic Calendar in the Schedule of Classes regarding notices for planned absences and requests related to religious holidays (usually 15<sup>th</sup> class day).
- Employees who wish to observe a traditionally recognized religious or cultural holiday by requesting time off need to make the request for arrangements to the appropriate supervisor with reasonable advance notification.
- The “Request for Disability Accommodation in Employment” should be discussed with the **Office of Human Resources at (940) 898-3555**.
- The **Office of Human Resources** handles specific allegations of sexual harassment and discrimination as per TWU policies. Other workplace concerns, including alleged harassment, may be shared with the appropriate supervisor.

## What to Do: Discrimination and/or Sexual Harassment?

Discrimination and sexual harassment are offensive actions. They are illegal and they violate Texas Woman's University policy. Steps to take if you are discriminated against, sexually harassed or if you witness discrimination or sexual harassment include:

- Speak out against discrimination and sexual harassment. If possible, let the person know the action/communication is offensive and should stop.
- Document the offense. Be specific. What? When? Where? Who? Are there witnesses? Describe what actions you took and what you communicated to the accused person.
- Report the allegation(s), according to Texas Woman's University policy, to your supervisor or person in charge of your work unit, and the Office of Human Resources.

### Role of Diversity and Equal Opportunity

- Works to ensure positive, supportive environment free of discrimination for everyone, including faculty, staff, students and visitors;
- Handles complaints and investigations regarding allegations of discrimination and sexual harassment at TWU campuses in Denton, Dallas and Houston;
- Strives to be proactive to address challenges;
- Serves as resource in monitoring compliance of anti-discrimination laws and policies;
- Serves as a resource regarding the University's affirmative action plan;
- Serves as liaison with external agencies

### Equal Opportunity Policy

**Discrimination:** Prejudiced outlook, communication or action. Systematic or patterned mistreatment of a person or group because of the group they belong to or are perceived to belong to. May be **covert** (implied or unapparent) or **overt** (explicit or apparent).

It is the policy of Texas Woman's University not to discriminate on the basis of:

race	color	religion
sex	age	national origin
disability	sexual orientation	disabled veteran/Vietnam veteran status

in its educational programs, activities, admissions or employment policies. Refer to the non-discrimination/equal employment opportunity and affirmative action policy, [TWU Policy 3.04 "Nondiscrimination/Equal Employment Opportunity"](#).

### Sexual Harassment Policy

It is the policy of Texas Woman's University that no member of the University community may sexually harass another and that all allegations of sexual harassment be reported and investigated. All members of the faculty, staff and student body will be subject to disciplinary action for violation of this policy. Refer to the sexual harassment policy, [TWU Policy 3.05 "Sexual Harassment"](#).

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

**Criteria:**

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

**Types:**

1. **Quid Pro Quo**
2. **Hostile Environment**

Unwelcome behavior that is severe and pervasive and unreasonably interferes with the person's work or education.

- **Third Party**
- **Sexual Favoritism**
- **Sex-Based**

**Responding to Sexual Harassment:**

1. Suggestion is to confront the harasser and tell that person that the harassment must stop.
2. Report the harassment to the appropriate person to include supervisory personnel, Human Resources.

### **Examples of Sexual Harassment**

- Sexual innuendoes and comments
- Intrusive sexually explicit questions
- Repeatedly asking a person for dates or to have sex
- Spreading rumors about a person's sexuality
- Name-calling
- Sexual ridicule
- Frequent sexual jokes
- Stalking
- Sexually suggestive sounds or gestures
- Touches
- Attempted or actual sexual assault

### **Harassment and/or Uncivil Behavior**

**Harassment** is defined as communication(s) and/or actions(s) directed to person(s), which results in a hostile environment with adverse effect on employment and/or education. Employee may report allegation(s) of harassment and/or uncivil behavior to the supervisor or person in charge of the work unit and Human Resources.

### **Complaints**

**Complaints** are alleged violations of discrimination and sexual harassment policies filed for investigation with the Equal Opportunity Officer. Allegations are reported to the accused and respective supervisory personnel. Confidentiality is requested. Retaliation violates policy.

### **External Options**

- Equal Employment Opportunity Commission (EEOC) – <http://www.eeoc.gov>
- Texas Workforce Commission (TWC) – <http://www.twc.state.tx.us/>
- Office for Civil Rights (OCR) – <http://www.ed.gov/about/offices/list/ocr/index.html>
- Personal attorney

## Legal Basis for Anti-discrimination

- Title IV of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, protects constitutional rights in public facilities and public education, and prohibits discrimination in federally assisted programs.
- Title VI of the Civil Rights Act of 1964 protects persons from discrimination based on race, color or national origin in programs and activities that receive Federal financial assistance.
- Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex or national origin.
- Civil Rights Act of 1991 provides monetary damages in cases of intentional employment discrimination.
- Equal Pay Act of 1963 (EPA) protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination.
- Age Discrimination in Employment Act of 1967 (ADEA) protects individuals who are 40 years of age or older.
- Title I of the Americans with Disabilities Act of 1990 (ADA) prohibits employment discrimination against qualified individuals with disabilities in the private sector, and in state and local government.
- Pregnancy Discrimination Act of 1978 requires employers to treat women affected by pregnancy, childbirth and related medical conditions in the same manner as other employees for all employment-related purposes.
- Section 504 of the Rehabilitation Act of 1973 prohibits disability discrimination.
- Vocational Rehabilitation Act of 1973 makes it unlawful for a federal contractor to discriminate on the basis of physical or mental disability.
- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. (1982), prohibits sex discrimination in educational programs and activities receiving federal financial assistance.
- Vietnam Era Veterans Readjustment Act of 1974 prohibits federal government contractors from discriminating against qualified disabled veterans and veterans of the Vietnam era. Veterans specified are included in affirmative action and promotion policies.
- Section 21.125(a) of the Texas Labor Code as amended by HB 3048, Seventy-Fifth Legislature, clarifies the prohibition against impermissible consideration for race, color, sex, national origin, religion, age or disability in employment practice.

## Referrals: Campus Resources

### Website References

Faculty Handbook – <http://www.twu.edu/facultyhandbook/>  
Staff Handbook – <http://www.twu.edu/staffhandbook/>  
Student Life Office – <http://www.twu.edu/o-sl/StudentLifeOffice/>  
Disability Support Services – <http://www.twu.edu/dss>  
Housing and Residence Life – <http://www.twu.edu/o-sl/residencelife>  
Human Resources – <http://www.unt.twu.edu/hr>

### Student Rights and Responsibilities

Students enrolling in Texas Woman's University and registered student organizations assume an obligation to conduct themselves in a manner compatible with the University's function as an educational community. The act of registering for classes or registering as a TWU organization is considered an explicit acceptance of TWU's regulations as outlined in the most recent issue of the [Student Handbook and Planner](#), the [University General Catalog](#), the [Graduate Catalog](#), and other official University publications. To fulfill its functions of

imparting and gaining knowledge, TWU retains the authority to maintain order within the university and to exclude those who are disruptive of the educational process or who represent a threat to the community.

## Disability Support Services

The office of Disability Support Services assists students with disabilities who attend Texas Woman's University by determining and recommending appropriate academic support services. In addition, DSS acts as a referral source for other services both on campus and in the community. <http://www.twu.edu/dss>

Students often work with their personal physicians when identifying disabilities and requested accommodations. Additional options include:

- Texas Rehabilitation Commission - <http://www.dars.state.tx.us/drs/index.shtml>
- Texas Commission for the Blind - <http://www.dars.state.tx.us/dba/index.shtml>
- UNT Psychology Clinic - <http://www.psyc.unt.edu/clinic/>

## Employee Assistance Program

The Employee Assistance Program (EAP) is designed to confidentially assist employees deal with life's stresses and variety of personal challenges, including relationship issues, depression, anxiety, child and elder care, legal issues, financial issues and substance abuse challenges. For confidential services that are offered at no cost to TWU retirement-eligible employees and dependants, call 1.800.343.3822 (line is always open), TDD 1.800.448.1823 or teen helpline 1.800.334.TEEN (8336). For more information, visit <http://www.wapeap.com>.

### Additional Available EAP Benefits

**Law Access** is a free on-line law library with common legal documents available. Use "TWU" for both user name and password. **WAP Helpnet Services** is an on-line service including information about WAP, Inc. (Workers Assistance Program, Inc.) and EAP program, along with tools to assess and assist the user with a personal situation. For more information on Law Access and WAP Helpnet Services, visit <http://www.wapeap.com>.

