

## **Equal Opportunity and Affirmative Action**

The University of Alabama in Huntsville is committed to making employment opportunities available to qualified applicants and employees and does not unlawfully discriminate on the basis of race, color, national origin, religion, sex (including marital or parental status), pregnancy, sexual orientation, age, disability, citizenship, genetic information, or status as a Vietnam-era, special disabled, or other eligible veteran. All personnel actions and programs shall be administered in accordance with this equal opportunity policy. These actions and programs include recruitment, selection, assignment, classification, promotion, demotion, transfer, layoff and recall, termination, determination of wages, conditions and benefits of employment, etc. It is the intent of the University that, in all aspects of employment, individuals shall be treated without unlawful discrimination on any of the foregoing bases, and that employment decisions shall instead be premised upon a person's ability, experience, and other job-related qualifications.

Additionally, the University is an affirmative action employer of women, minorities, individuals with a disability, and Vietnam-era, special disabled, and other eligible veterans. It is committed to making sustained, diligent efforts to identify and consider such individuals for employment and for opportunities arising during employment.

The University is also committed to equal educational opportunity for all qualified students and does not unlawfully discriminate in its educational policies, practices, programs, or activities on the basis of race, color, national origin, religion, sex (including marital or parental status), pregnancy, sexual orientation, age, disability, citizenship, genetic information, or veteran status. Its admissions, financial aid, athletics, student services, and other programs are administered in accordance with this policy.

Discrimination, under this policy, shall be understood to include harassment carried out through unwelcome verbal or physical conduct directed at one or more individuals on the basis of race, color, national origin, religion, sex, age, or disability. To be unlawful in an employment context, enduring such harassment must become a condition of continued employment or the conduct must be sufficiently severe or pervasive to create a working environment that is intimidating, hostile, or abusive. Offensive jokes, objects, or pictures; slurs and epithets; physical threats and assaults; intimidation; insults; etc. are among the actions that may constitute harassment. Potential violations of this policy will be evaluated from the perspective of a reasonable person in the victim's situation, taking into account all the circumstances.

With regard to students, such harassment is unlawful when it unreasonably interferes with or limits the student's ability to participate in or benefit from services, activities, or privileges provided by the educational institution. A violation also occurs when, through such harassment, an educational institution has created or is responsible for a hostile learning environment so severe, pervasive, or persistent that it adversely affects the student's ability to participate in or benefit from the institution's educational program.

Sexual harassment, in addition and more specifically, includes sexual advances, requests

for sexual favors, and other conduct of a sexual nature that is unwelcome and is directed toward a person on the basis of that person's sex. It may take one of two generally recognized forms. First, the employee's or student's submission to such conduct is made a condition, explicitly or implicitly, of access to an employment or academic opportunity; for the employee's or student's submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting the individual, such as, for example, a salary or grade determination, respectively. This kind of harassment is sometimes referred to as "*quid pro quo*" ("something for something") or, alternatively, harassment that results in "tangible employment action." Secondly, hostile environment harassment occurs when the conduct is so severe, persistent, or pervasive that it unreasonably interferes with an individual's performance as an employee or student or creates an intimidating, hostile, or offensive working/learning environment. Examples of actions that might be deemed to create a hostile environment based on sex could include flirtation, vulgar language, sexually suggestive jokes, touching of a sexual nature, displaying or distributing sexually explicit materials, etc.

The University also prohibits retaliation against employees or students who engage in protected activities. Protected activities include making, in good faith, a complaint of discrimination or harassment, assisting others in making a complaint, otherwise opposing such acts or practices, or participating in an investigation, proceeding, or lawsuit. Threats, intimidation, reprisals, and/or other adverse actions related to one's employment or academic status constitute retaliation if they may dissuade a reasonable employee or student from exercising his/her right to complain about the discrimination or harassment.

In these respects, the University affirms its desire to create a work environment for all employees and a learning environment for all students that is fair, humane, and responsible - an environment that supports and rewards career and educational goals on the basis of such relevant factors as ability and employment or academic performance. A University employee or student who is found, under established University procedures, to have been guilty of discriminatory conduct with respect to another member of the campus community in violation of these policies will be subject to discipline, up to and including possible dismissal or expulsion, by the University.

These commitments are designed to meet nondiscrimination/affirmative action requirements imposed by the following federal and state sources of legal obligation, as amended: Title VI and VII, Civil Rights Act of 1964; Executive Order 11246; Title IX, Education Amendments of 1972; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; the Vietnam Era Veterans' Readjustment Assistance Act of 1974; the Immigration Reform and Control Act of 1986; the Genetic Information Nondiscrimination Act of 2008; the U.S. Constitution; contract and grant agreements with government agencies; the Alabama Age Discrimination Act of 1997; and the Alabama Constitution of 1901. The University's equal opportunity policies pertaining to its employees and students include specific administrative procedures and implementing measures designed to carry out these pledges and to ensure compliance with the foregoing laws.

Inquiries or complaints concerning the application of this policy or these federal and/or

state requirements should be directed to one of the following persons:

Vice President for Diversity and Student Support Services  
Student Equal Educational Opportunity Officer  
114 University Center  
The University of Alabama in Huntsville  
Huntsville, AL 35899  
(256) 824-6767

Dr. John Severn  
Faculty Equal Employment Coordinator  
364 Shelbie King Hall  
The University of Alabama in Huntsville  
Huntsville, AL 35899 Huntsville, AL 35899  
(256) 824-6700

Ms. Laurel Long  
Staff Equal Employment Coordinator  
102 Shelbie King Hall  
The University of Alabama in Huntsville  
Huntsville, AL 35899  
(256) 824-6545

Grievances alleging unlawful discrimination will be resolved in accordance with the discrimination grievance procedures set forth in the Student Handbook.\*

\* This sentence should be included only in the Student Handbook and Catalog policy statement.