

IODP-TAMU POLICY ON SEXUAL HARASSMENT ABOARD THE *JOIDES RESOLUTION*

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INTRODUCTION

IODP-TAMU is committed to providing a working environment free from discrimination, and to prohibit harassment of its employees and applicants, including sexual harassment. IODP-TAMU promptly investigates all complaints of discrimination, sexual harassment, and related retaliation in accordance with applicable local, state, and federal laws and TAMU System policy.

DEFINITIONS

Sexual Harassment: a form of sex discrimination, defined as unwelcome conduct of a sexual nature, which includes unwelcome sexual advances and/or requests for sexual favors and other verbal, nonverbal, or physical conduct of a sexual nature that is so severe, persistent, or pervasive that it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work, or creates an intimidating, hostile, or offensive work environment. Sexual harassment includes non-consensual sexual intercourse and sexual exploitation (when an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to the benefit or advantage anyone other than the one being exploited, e.g., secretly videotaping sexual activity, voyeurism, sexually based stalking, and invasion of sexual privacy).

Improper Consensual Relationship: a mutually agreeable amorous, romantic, and/or sexual relationship between two employees or between an employee and a third party AND in which one of the individuals has one or more of the following:

- Authority over any term or condition of the other individual's employment or academic status;
- Job duties making that individual directly or indirectly responsible for hiring, supervising, evaluating, teaching, coaching, grading, or advising the other individual or providing benefits to or obtaining benefits from the third party, including employment.

An improper consensual relationship is characterized by a difference in actual or perceived power that creates the potential for any of the following:

- A conflict of interest;
- Actual or perceived abuse of power;
- Allegations that the relationship resulted from coercion, exploitation, and/or harassment; or
- Allegations of favoritism and/or unfair treatment.

POLICY

All allegations of discrimination, sexual harassment, and related retaliation are promptly and thoroughly investigated by IODP-TAMU and, if applicable, reported to the TAMU Title IX Coordinator.

EMPLOYEE RESPONSIBILITIES

All employees are responsible for ensuring their work environment is free from illegal discrimination, sexual harassment, and related retaliation. When alleged or suspected discrimination, sexual harassment, or retaliation is experienced or observed by or made known to an employee, the employee is responsible for promptly reporting that information to the human resources office or any supervisor, manager, or director. All employees are to cooperate fully with those performing an investigation. Retaliatory action of any kind is prohibited when taken against a complainant, witness, or other person participating in a sexual harassment investigation, complaint, hearing, or suit.

REPORTING AN INCIDENT

Reports of suspected sexual harassment must be based on reasonable, factual information rather than speculative information or rumor, and contain as much specific information as possible to allow for proper assessment of the nature, extent, and urgency of preliminary investigative procedures. Intentional false or materially misleading allegations of suspected sexual harassment or related retaliation under this policy may be disciplined, up to and including dismissal.

Any employee or third party who believes that he or she has been subjected to sexual harassment should promptly report the incident to human resources or any supervisor, manager, or director. Complaints connected to disciplinary actions or dismissal must be reported within 7 business days of the action. Complaints not related to discipline or dismissal must be filed within 60 calendar days of the most recent incident.

APPEAL OF DISCIPLINARY ACTION

Employees disciplined pursuant to this policy may appeal that action in accordance with TAMU System Policy 32.01, Employee Complaint and Appeal Procedures, TAMU System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees, and/or other procedures as appropriate.

IMPROPER CONSENSUAL RELATIONSHIPS

If an improper consensual relationship exists, the individual with supervisory or other advisory status or the employee providing benefits to or obtaining benefits from a third party must promptly notify his or her immediate supervisor of the relationship and cooperate in making alternative arrangements for supervision or providing/obtaining benefits. The immediate supervisor must promptly report the issue in writing to the IODP-TAMU director. IODP-TAMU retains the right to determine if alternative arrangements are possible, and if so, which one(s) are selected.

An employee's failure to promptly self-report the improper consensual relationship or an improper consensual relationship that is not remedied through alternative arrangements may result in disciplinary action up to and including dismissal.

BASIS

TAMU System policy 08.01, Civil Rights Protections and Compliance (<http://policies.tamus.edu/08-01.pdf>).

TAMU System regulation 08.01.01, Civil Rights Compliance (<http://policies.tamus.edu/08-01-01.pdf>).

TAMU SAP 08.01.01.M1.01, Investigation and Resolution of Complaints Against NonFaculty Employees and Unrelated Third Parties for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges (<http://rules-saps.tamu.edu/PDFs/08.01.01.M1.01.pdf>)