

 UNIVERSITY of DENVER	UNIVERSITY OF DENVER DISCRIMINATION AND HARASSMENT POLICY	
<p><u>Responsible Department:</u> Campus Life and Inclusive Excellence, and Human Resources and Inclusive Community</p> <p><u>Recommended By:</u> Provost, VC Campus Life and Inclusive Excellence, VC Human Resources and Inclusive Community</p> <p><u>Approved By:</u> Chancellor</p>	<p><u>Policy Number</u> 3.10.010</p>	<p><u>Effective Date</u> 11/21/2019</p>

I. INTRODUCTION

The University is committed to creating and maintaining a community in which people are treated with dignity, decency and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression and exploitation. People in this community should be able to work and learn in a safe atmosphere. The accomplishment of this goal is essential to the academic mission of the University.

Consistent with this commitment, the University will not tolerate any unlawful discrimination, harassment, or gender-based violence of any kind. When the University becomes aware that a member of the University community may have been subjected to or affected by discrimination, harassment, or gender-based violence, the University will take prompt, appropriate action to enforce this Policy. The University enforces this Policy pursuant to the University’s Office of Equal Opportunity & Title IX Procedures.

Matters of this kind may also be prohibited by a variety of federal, state, and local laws. This Policy and the Office of Equal Opportunity & Title IX Procedures are intended to comply with the prohibitions of all applicable anti-discrimination laws.

II. POLICY OVERVIEW

A. Title IX

The University prohibits discrimination on the basis of sex, including gender-based violence, in its educational programs and activities. This also include pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation. The University is committed to complying with Title IX of the Education Amendment Act of 1972 and ensuring that the University’s education programs and activities are operated in a manner consistent with applicable federal law, regulations, and provisions.

B. Equal Opportunity

It is the policy and practice of the University to provide equal opportunity in employment, educational activities, and other programs to all employees, students, and applicants. No person shall be discriminated against in any condition of employment or opportunity because of race, color, national origin, ancestry, age (40 and over), religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, and genetic information.

C. Pay Transparency

Employees are not prohibited from discussing their salaries and/or compensation with other employees and non-employees. The University will not discharge, discipline, or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the University's legal duty to furnish information. 41 CFR 60-1.35(c)

D. Equal Pay Act and Pay Equity

The Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility under similar working conditions, in the same establishment.

The University is also committed to the principle of pay equity, and expressly prohibits disparate pay on the basis of an employee's race, color, national origin, age, religion, disability, sex, sexual orientation, gender identity, gender expression, marital status, genetic information, military enlistment or veteran status. The University also prohibits pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation.

E. Retaliation

No hardship, no loss of benefit, and no penalty may be imposed on any student, faculty, or staff as punishment for: filing or responding to a bona fide complaint of discrimination or harassment, appearing as a witness in the investigation of a complaint, or serving as an investigator or as a member of a disciplinary board. Retaliation or attempted retaliation of this kind is a violation of the Policy and will be subject to severe sanctions up to and including termination or dismissal from the University.

F. Application

This Policy and the Office of Equal Opportunity & Title IX Procedures apply to all faculty, staff, students, board of trustee members, volunteers, contractors, guests and visitors of the University. It extends to all University activities, both on and off-campus.

Employees found to have engaged in discriminatory conduct may be subjected to disciplinary action, up to and including termination.

III. RECORDS

Records related to the investigation of any allegations of discrimination, harassment, or gender-based violence will not be stored in personnel files of employees reporting alleged discrimination, harassment, or gender-based violence, and instead must be retained in a separate secure location.

IV. PROCESS OVERVIEW

The Director of Equal Opportunity and the Title IX Coordinator shall develop and publish procedures and rules that further clarify the rights and obligations under the policy as well as clarify definitions and scope within this Policy. The Provost and the Vice Chancellor for Business and Financial Affairs shall approve such procedures and rules upon the advice of Vice Chancellor of Human Resources and Inclusive Community; and Vice Chancellor of Legal Affairs.

V. DEFINITION

None

Approved:



Dr. Jeremy Haefner
Chancellor
University of Denver

11/25/19
Date