

IMPORTANT POINTS
TO REMEMBER ABOUT SEXUAL HARASSMENT

1. Western has zero tolerance for sexual harassment in the workplace or educational setting.
2. Sexual harassment is most often an issue of power, and not sex.
3. A supervisor or other employee with authority, who “knows” or “should have known” about possible sexual harassment, is required by law to take action as soon as possible and not ignore it. “Supervisor” includes professors. “Taking action” simply means treating the issue seriously, informing your supervisor, and consulting with the Equal Opportunity Office (EOO). It is important for EO to look into concerns quickly before a situation escalates.
4. If a student, faculty or staff member wants to talk to you about a situation involving sexual harassment, tell the person that you cannot keep the information confidential. You are required to report the information to your supervisor and the EOO. In investigating the matter, EO will frequently talk to both parties involved and also work with leadership to try and resolve the matter. If the person only wants to discuss the matter in confidence, refer the person to the counseling center or the Employee Assistance Program, as appropriate.
5. You should not investigate allegations of sexual harassment yourself, but leave that to the EOO, because you may unnecessarily put yourself in the middle of a difficult situation. The EOO is a neutral office and will provide due process for all parties in an informal or formal investigation, as per the university’s discrimination complaint procedures.
6. Document all conversations and observations related to allegations or suspicions of sexual harassment.
7. Examples of third party sexual harassment include when a person cannot avoid overhearing other people’s conversations of a sexual nature or jokes of a sexual nature and the person finds the conversations or jokes unwelcome and offensive.

8. There may exist some unwelcome, sexual conduct that may not rise to the level of sexual harassment. However, it is likely still inappropriate for the work setting.
9. Western's Sexual Harassment Prevention Policy also applies to off-campus and work or educational-related settings and activities.
10. The intent of sexually harassing behavior is not a factor in determining whether behavior constitutes sexual harassment; the impact of the behavior on a person is the relevant factor, along with whether or not the behavior meets the legal definition.*

* Sexual harassment is defined under the EEOC Guidelines to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972 as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's academic success,
- submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals, or
- such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile or offensive working or learning environment.