DISCRIMINATION & HARASSMENT DEFINITIONS

DISCRIMINATION
Unfair or unequal treatment of persons on the basis of inclusion or perceived inclusion in a protected class.

HOSTILE ENVIRONMENT DISCRIMINATORY HARASSMENT
Unwelcome conduct that is demeaning or derisive of, or would not occur but for, the race, color, ethnic background, national origin, religion, creed, age, lack of American citizenship, disability status of veteran of the Vietnam era, sexual orientation, or gender of an employee or groups of employees, and which creates a hostile environment. Harassment shall include one or more of the three levels described below. Behavior described in Levels One and Two shall constitute harassment only when a pattern of such conduct continues after the harasser knew, or should have known, that the conduct was unwelcome, unless such conduct is "clearly offensive," in which case only one such incident is necessary.

LEVEL ONE
Generalized Harassment
Includes intentional behavior directed at an entire group which is based on demeaning or derisive stereotypes, and is so pervasive that it creates a hostile working or educational environment.

Examples: Comments or jokes, physical gestures or visual displays such as posters, drawings, calendars, etc.

LEVEL TWO
Individually Targeted Harassment
Includes intentional, non-criminal behavior which is targeted at an individual or particular members of a group adversely affective their working environment, which can be verbal, visual, or physical.

Examples: Negative or offensive comments, jokes, suggestions, or gestures directed to an individual's or group's race, gender, ethnicity, national origin, etc.

LEVEL THREE
Criminal Harassment: Harassing behavior which violates state or federal criminal statutes.

Examples: Criminal harassment, criminal assault, sexual assault, rape, criminal mischief, arson, and trespass.

QUID PRO QUO SEXUAL HARASSMENT
Is when a supervisor's/teacher's behavior creates the reasonable perception in the mind of a subordinate employee/student that the granting or withholding of tangible job/educational benefits shall be based on the granting of sexual favors.

OFFICE FOR EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

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