

DISCRIMINATION/HARASSMENT/RETALIATION COMPLAINT FORM

INSTRUCTIONS: This form is not viewed as an official charge requesting investigation unless it is signed and submitted. It is the responsibility of this office to investigate and/or mediate all complaints received.

Name: _____ Date: _____
 Department/Major: _____ Position Title/Year: _____
 UVID #: _____

Status (Check all that apply):

Faculty (Adj.) Exempt Full-time Student
 Staff Nonexempt Part-time Visitor

Please select your choice of resolution process. Selecting the Early Resolution process does not limit you from selecting the Investigation process at a later time.

Early Resolution: Informal Review/Mediation/Negotiation **Investigation**

Provide information pertaining to those you feel have discriminated/harassed against you.

<u>Name</u>	<u>Title</u>	<u>Department</u>

On a separate sheet of paper, please provide the following information related to your complaint:

1. Briefly provide detailed account of how you and/or others have been treated differently from similarly situated individuals, the harm you feel you have experienced, and list the dates of each occurrence. Please be sure to include how each of the acts have been based upon your inclusion in one or more of the following protected classes: race, color, religion, national origin, sex, sexual orientation, gender identity, age (40 and over), disability, veteran status, pregnancy, childbirth, or pregnancy-related conditions, genetic information.
2. Indicate if this was the first time or how often the acts occurred and indicate the worst thing that occurred.
3. List where the events occurred (*see explanation on next page): On Campus _____ Off Campus _____ Public Property _____
4. Were the acts at a residence? If so, list the address if known. _____
5. List any University representatives you have spoken to about this/these issue(s) and any internal complaint or grievance processes you have initiated regarding the complaint.
6. If you spoke to someone about the acts, list who, when, and any reasons you were given for the acts.
7. List the names, titles, telephone numbers and email addresses of the individual(s) who were: 1) treated the same as you; 2) treated better than you; or 3) treated worse than you.
8. List the individual(s) who may have witnessed the alleged discriminatory action and/or who could provide information relevant to the complaint, including phone numbers and email if known.
9. List and attach any evidence available (physical evidence and documentary evidence such as emails, voice-mails etc.).
10. Describe any other actions, if any, you have taken to attempt to resolve the situation.
11. Describe what actions you believe are necessary to resolve the situation.

I verify and affirm that I have read my attached charge of discrimination and any supporting documentation I have provided and that it is true and accurate to the best of my knowledge, information and belief.

 Signature of Charging Party

 Date

Definitions From UVU Policy 165:

3.2 Discrimination: For purposes of this policy, negative or adverse conduct towards university employees or students in the terms or conditions of employment; university admission or education; access to university programs, services, or activities; or other university benefits or services on the basis of inclusion or perceived inclusion (in the case of disability, sexual orientation, gender identity, or gender expression) in one or more of the protected classes that has the effect of denying or limiting participation in university employment or in a university program or activity.

3.4 Harassment: For purposes of this policy, any unwelcome verbal, physical, written, electronic, or non-verbal conduct (whether directly, indirectly, or through a third party) based on that person's inclusion in one or more protected classes that is sufficiently severe, persistent, or pervasive to alter the conditions of employment of an employee or to limit, interfere with, or deny educational benefits or opportunities of a student, from both a subjective and objective viewpoint based on a totality of the circumstances, including but not limited to the frequency and severity of the conduct, whether the conduct was physically threatening or humiliating, the effect of the conduct on the individual's mental or emotional state, whether the conduct was directed at more than one person, whether the conduct arose in the context of other discriminatory conduct, and whether the speech or conduct deserves the protections of academic freedom or the First Amendment.

3.10 Retaliation: Intimidation, threats of reprisal, harassment, or other materially adverse actions, or threats of such materially adverse actions, made by or against persons employed by, attending, or affiliated with the University in any way or participating in any university program or activity, against anyone who in good faith opposes discrimination or harassment; reports or files a complaint of discrimination or harassment; honestly participates or assists in a university related investigation, hearing, or other proceeding relating to discrimination or harassment; or otherwise asserts rights protected by Title VII or other applicable laws. Any action designed to prevent or discourage someone from reporting a protected class harassment or discrimination concern may also be retaliation.

Definitions From UVU Policy 162:

3.20 Sexual harassment: A form of harassment consisting of unwelcome sexual advances, requests for sexual favors, or other verbal actions including lewd or sexually suggestive comments, jokes, questions, innuendoes, and remarks about clothing, body, or previous or future sexual activity; physical actions including unwelcome touching, patting, hugging, or brushing against a person's body; written, graphic, or electronic statements or depictions; or nonverbal conduct of a sexual nature (whether the conduct is direct, indirect, or by third persons) when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, advancement, or participation in a university activity;
- 2) Submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's employment, education, advancement, or participation in a university activity; and/or
- 3) Such conduct is sufficiently severe or pervasive and it unreasonably interferes with an individual's employment or education performance or creates an intimidating, hostile, or abusive environment for that individual's employment, education, or participation in a university activity.

3.21 Sexual misconduct: Sexual misconduct includes but is not limited to acts of, or failed attempts of, dating and relationship violence; domestic violence; discrimination based on sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression; hostile environment based on sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression (including intimidation and hazing/bullying); sexual harassment; sexual assault (including nonconsensual sexual contact or nonconsensual sexual intercourse); sexual exploitation (including engaging in sexual trafficking); and stalking as defined by state and federal law.