



Policy: Anti-Harassment Policy	Applicability: All Students, Employees, Contractors, Sub-Contractors, Visitors
Policy Owner: Human Resources	Approved By: Office of the President
Effective Date: July 1, 2011	Last Reviewed: April 26, 2023
Next Review: April 26, 2024	Contact:

PURPOSE: Meharry is committed to maintaining an environment in all of its locations and facilities that is free of unlawful discrimination. All members of the Meharry community share responsibility for fostering this environment by adhering to standards of conduct. Harassment is a serious violation of the conduct.

POLICY: Unlawful harassment, including sexual harassment, is contrary to basic standards of conduct between individuals and is prohibited by state and federal law. It is the policy of Meharry to expressly forbid any form of unlawful harassment of, by or between employees, guests, volunteers and/or vendors. Any staff employee who engages in any of the acts or behavior defined below violates Meharry policy, and such misconduct will subject an employee to corrective action up to and including termination.

Retaliation

Meharry forbids retaliation against anyone for:

- Making a bona fide harassment complaint.
- Assisting in making a bona fide harassment complaint.
- Cooperating in a harassment investigation.

DEFINITIONS:

Harassment

Unwelcome verbal, physical or visual conduct that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile or offensive working environment. This includes unwelcome behaviors and intimidating acts directed at a person or persons based on their race, sex, ethnicity, age, national origin, disability, sexual orientation, gender identity, religion, or other protected status.

Sexual Harassment

Unwelcome sexual advances or visual, verbal or physical conduct based on sex constitute sexual harassment when:

- Submission to the conduct is an explicit or implicit term or condition of employment.



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- Submission to or rejection of the conduct is used as the basis for an employment decision.
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. This definition encompasses many forms of offensive behavior, including gender-based harassment of a person of the opposite or same sex as the harasser.

Examples of prohibited sexual harassment include:

- Repeated and unwelcome sexual flirtation or advances.
- Offering employment, promotions or other benefits in exchange for sexual favors. Making or threatening reprisals for refusing sexual advances.
- Visual conduct such as leering; making sexual gestures; displaying sexually suggestive objects or pictures, cartoons or posters; or suggestive or obscene letters, notes or invitations.
- Verbal conduct such as derogatory comments, epithets, slurs, sexual innuendo, sexual jokes, graphic verbal commentaries about the individual's body and sexually degrading words used to describe an individual.
- Physical conduct such as patting, pinching or intentionally brushing against another person's body.

PROCEDURE: Complaints of a violation of this policy shall be brought to the attention of Human Resources, the Compliance Hotline, a member of the President's Council, or to any other appropriate member of the institutional community, including any academic or administrative officer. The person receiving the complaint shall counsel the complainant as to the options available under this Policy, including referral to the Human Resources or other appropriate institutional representative for help in resolving the complaint informally; or help in drafting a formal complaint.

The institution's sexual harassment policy shall be explained during new faculty and staff orientations and faculty/staff development workshops.

Vendors, consultants, independent contractors and all others acting on behalf of the College who are not required to participate in faculty/staff orientations shall receive a copy of this



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policy upon commencement of their contracts. Violation of this policy may result in Meharry's termination of such contracts.

The policy is also reissued on an annual basis through mass e-mail. The policy shall also be included in the following publications: Staff Employee Handbook, College Policy Manual; Faculty Handbook; Personnel Policy and Procedures Manual; and Student Services Handbook.

All complaints, informal and formal, shall be immediately forwarded to the Human Resources and Legal Affairs. The Associate Vice President of Human Resources will consult with the appropriate academic or administrative officers of the College to determine the appropriate method for investigating the complaint.

Investigation

The purpose of the investigation is to ascertain whether an actual violation of this policy has occurred. Investigations shall include the following:

- An interview with the complainant to determine the facts upon which the complaint is based. This meeting should be used to find out the "who, what, when, and where" of the complaint. Any evidence of, or witnesses to, an alleged incident should be obtained during the interview.
- An interview with the accused to inform him/her that a complaint has been made against him/her. The complainant should not be identified, but if the alleged harasser knows the identity of the complainant, it should be made clear that no retaliatory action will be tolerated.
- In a formal complaint, interviews with any other persons believed to have pertinent/factual information or knowledge of the alleged policy violation.
- The person investigating the complaint will take steps to ensure confidentiality of all parties involved.
- The accused shall have a full opportunity to respond to all allegations.
- If it is concluded that there is a reasonable basis for believing that a policy violation has occurred and a negotiated settlement cannot be reached, formal action will be taken. The Associate Vice President of Human Resources will inform the complainant and the accused of the results of the investigation and actions to be taken to resolve the complaint.



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- Upon completion of the investigation, a written notice of disposition shall be forwarded to the accused as well as to the complainant.

Complaints and cases of sexual harassment will be dealt with promptly. Any member of the institutional community found to have engaged in sexual harassment will be disciplined. Disciplinary action for violation of this policy shall include, and not be limited to, any of the following courses of action, as appropriate, based upon the severity of the violation: Written warning and reprimand, and appropriate counseling; Suspension; Termination of employment or contractual relationship, or expulsion.

Every effort shall be made to protect the privacy of all parties involved. Such efforts are intended to protect the complainant and any witnesses from retaliation and to assure that the rights of the accused are protected. All parties involved in sexual harassment complaints should be cautioned about discussing the case outside of the resolution process.