

Harassment Including Sexual Harassment

General Statement: Pacific University reaffirms the principle that its students, faculty, and staff have a right to be free from harassment in workplace and academic settings and activities. Harassment is inconsistent with the nature of an academic community and in some circumstances can be a violation of federal and state law.

Pacific University does not tolerate any kind of harassment. This includes harassing actions between and among supervisors and employees, between and among fellow employees, between and among employees and students and between and among third parties such as vendors or visitors and any member of the University community.

Harassment

Harassment is unwelcome verbal or physical conduct that demeans or shows hostility toward an individual because of the individual's race, color, gender, sexual orientation, religion, age, marital status, national origin, physical or mental disability, veteran status or any other basis protected by applicable local, state or federal law. Harassment occurs when it (1) has the purpose or effect of creating an intimidating, hostile, offensive working or academic environment; (2) has the purpose or effect of unreasonably interfering with an individual's work or academic performance; or (3) otherwise adversely affects an individual's employment or learning opportunities.

Sexual Harassment

Sexual Harassment is a form of gender (sex) discrimination. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and or other verbal or written or physical conduct of a sexual nature. Sexual harassment occurs when (1) submission to sexual conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic progress, (2) submission to or rejection of sexual conduct influences employment or academic decisions (3) sexual conduct or communication interferes with an individual's work performance or academic performance, or (4) sexual conduct creates an intimidating, hostile, or offensive work or academic environment.

If an individual is in a position to influence academic decisions or employment benefits of another, even a completely welcome, consensual, romantic or sexual relationship can raise the appearance of impropriety and can create an unwelcome appearance of favoritism and bias. (*See also University policy statement on Conflicts of Interest*) Such a relationship can lead to sexual harassment allegations if it later becomes unwelcome or if others believe they are being subjected to unequal treatment because of the relationship. Sexual harassment is not, however, limited to situations where there is an unequal power relationship between individuals and may occur between or among coworkers or students.

Reporting Alleged Harassment

Any student, faculty member or staff member who believes that he or she has been subjected to harassment should report the circumstances immediately to his or her supervisor or one of the following three individuals: the Vice-President for Academic Affairs, the Vice-President of Student Life or the Director of Human Resources. If a supervisor or administrator is made aware of a complaint, he or she must inform one of the above listed individuals.

The University strictly prohibits retaliation against any individual making a good faith report of harassment or for participating or cooperating in an investigation of harassment. Pacific University will not tolerate any form of reprisal, whether actual or implied, and whether related to employment or academic work, and such retaliatory behavior will result in discipline.

Complaints of harassment or retaliation will be examined promptly, thoroughly and will be impartially investigated. The University must investigate complaints of harassment of which it has knowledge. The interest in confidentiality of all members of the University will be respected, insofar as it is practical and possible, given the need for a thorough and complete investigation.

Violations of Policy

Violation of this policy will result in disciplinary action up to and including termination of employment or expulsion from school.

Conflicts of Interest

General Statement: A conflict of interest exists if an employee's actions, activities, or practices on behalf of the University either (a) result in preferential treatment or an improper gain or advantage to the employee, the employee's family or business associates, or (b) has a detrimental effect on the University's interests. A conflict of interest may occur when an employee fails to exercise due care, skill or judgment on behalf of the University in the performance of the employee's duties because of an interest inconsistent with the mission goals, or work of the University.

Policy

- Employees act in the best interests of the University, avoid conflicts of interest and conduct themselves in a manner which will maintain the integrity and accountability of Pacific University.
- Employees who have a financial or family interest in a business which provides services or goods to the University must not be involved in, directly or indirectly, negotiations or contracting with that business.
- Employees must not engage in any outside employment or business activity which conflicts with the University's interests. Outside employment, business or consulting activities that do not conflict with the University's interests must be scheduled outside of the employee's normal work schedule.
- Employees must not use the University's name, logo, seal or any other trademarks of the University for Non-University Activities without the advance written approval of the Vice-President of University Relations. Employees should be careful not to represent themselves as speaking on behalf of Pacific University unless expressly authorized to do so.
- Employees must not be involved in University business pertaining to a member of the employee's immediate family, if that business affects the family member's employment, evaluation or advancement at the University. (*See also University policy statement on Employment of Relatives.*)

Self-reporting

Employees must provide full disclosure of all facts and circumstances related to any transaction, contract or activity in which they are involved, or may become involved, that might directly or indirectly create a conflict of interest with the University. Disclosure should be made to the employee's immediate supervisor who must report the matter to the Vice-President for Finance and Administration.

Violations of Policy

An employee who violates the conflicts of interest policy may be subject to discipline, including possible termination.

Drugs and Alcohol

Pacific University is subject to the provisions of the **Drug Free Workplace Act of 1988** and the **Drug-Free Schools and Communities Act Amendments of 1989**. This notice is given to comply with federal law and will be reissued annually. It is to be considered a supplement to other University personnel policies.

It is Pacific University's policy to be free of illegal drugs. The unlawful use, possession, distribution, dispensation or manufacture of a controlled substance is prohibited in and on Pacific University owned or controlled property. Additionally, the use of alcohol while on Pacific University owned or controlled grounds, including meal periods and breaks, is absolutely prohibited except where authorized by the University for approved University functions. Reporting for work under the influence of alcohol or a controlled substance is not permitted. Employees are required to immediately notify the University if they are convicted of a violation of criminal drug laws involving the workplace.

Violation of these rules will subject an employee to disciplinary action up to and including termination and/or satisfactory participation in a program, which treats substance use disorders. Pacific University's medical insurance plans provide benefits for treatment of chemical dependency (alcohol and drug). An Employee Assistance Program is also provided.