



Policy Title: Equal Employment Opportunity Policy
Category: Human Resources

Effective Date: March 30, 2018

INTRODUCTION AND PURPOSE

Rosalind Franklin University of Medicine and Science is committed to providing and maintaining a work environment free from all forms of unlawful discrimination, including harassment. The purpose of this policy is to affirm and describe the University's commitment to the principles of equal employment opportunity. This policy applies to all phases of employment, including, but not limited to, hiring, training, promotion, compensation, benefits, and termination.

CANCELLATION All previous policies inconsistent with this policy are cancelled.

SCOPE AND APPLICABILITY This policy applies to University employees (faculty and staff).

POLICY STATEMENTS

Equal Employment Opportunity: Rosalind Franklin University of Medicine and Science (hereinafter "University") does not discriminate (or tolerate those who do) on any unlawful basis (such as race, skin color, national origin, sex, including sexual orientation and gender identity, disability, age, religion, genetic information, military status, or family status) in its employment programs or activities, including hiring, compensation, job classification and structure, promotion, fringe benefits, termination, and other terms, conditions, or privileges of employment.

A violation of the Equal Employment Opportunity Policy is prohibited and could result in disciplinary action, including termination.

Open Communication Philosophy: The University believes that our employees are our most important resource. Open communication within an atmosphere of mutual trust is therefore of prime importance in developing this resource and creating a positive work environment. The University has an "open door" philosophy in an effort to create a work environment where employees and management are comfortable discussing any problem, complaint, suggestion, or question.

Reporting: If an employee feels that they have been discriminated against in any respect, they should immediately bring the matter to the attention of their supervisor, the Executive Director of Human Resources, or any member of management with whom they would feel comfortable discussing the complaint. Managers and supervisors must report any incidents that they hear about or observe that may constitute a violation of this policy to the Executive Director of

Human Resources. Reports from employees may also be made to the Office of Compliance directly or through EthicsPoint, a NAVEX Global company, (which allows anonymity), either via its toll-free number (800-254-0460) or its URL (<http://rosalindfranklin.ethicspoint.com>). No person will be subjected to retaliation, retribution, or reprisal for making a good faith report of, seeking guidance regarding, or participating in the investigation or resolution of a potential, known, or suspected violation of this policy. Individuals have the right to contact the Illinois Department of Human Rights (IDHR) Chicago: 312-814-6200 or 800-662-3942 Chicago TTY: 866-740-3953 (an IDHR complaint must be filed within 180 days of the alleged incident(s), unless it is a continuing offense). After IDHR has completed its investigation of the complaint, an appeal process is available through the Illinois Human Rights Commission (IHRC) Chicago: 312-814-6269 Chicago TTY: 312-814-4760.

Investigation and Resolution: The Executive Director of Human Resources shall implement a process to address allegations of a violation of this policy such that it would provide a prompt and equitable resolution at the lowest appropriate level and that is consistent with other relevant University policies (e.g. faculty, staff, or student policies relating to sanctions). A resolution is a situation arrived at that is then free of unlawful discrimination and may include, when and as appropriate, actions to remedy any past unlawful discrimination, punitive sanctions, additional training, and/or reassignment of duties or positions.

Education and Training: The Executive Director of Human Resources shall ensure the topic of equal employment opportunity is presented during new employee orientation and then, periodically, to current University employees.

Confidentiality: Any information gathered in the investigation and resolution process (including any written report) is deemed confidential and may be released only on a need-to-know basis or as otherwise provided by law. Accordingly, such information should be safeguarded from inappropriate release and reports should be marked as confidential. If the written report or other documents form the basis for any contemplated punitive sanction, a copy of the relevant document may be provided to the person against whom the sanctions are contemplated in accordance with the existing relevant policies regarding that contemplated sanction. Specifics regarding any punitive sanctions imposed are deemed confidential and may be released only on a need-to-know basis or as otherwise provided by law.

Coordination Efforts: The Executive Director of Human Resources will periodically meet with the Vice President of Student Success and Inclusion in order to assist and coordinate efforts to further and promote their respective functions.

DEFINITIONS

Harassment is a form of unlawful discrimination consisting of unwelcome verbal or physical conduct relating to any unlawful basis, such as one's race, skin color, national origin, sex, including sexual orientation and gender identity, disability, age, religion, genetic information, military status or family status, when:

1. (*quid pro quo*) submission to this conduct is explicitly or implicitly a term of, condition of, or otherwise used as a basis for employment decisions affecting that individual;
2. (*hostile environment*) has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment is one type of harassment (which is itself a form of unlawful discrimination) that involves unwelcome verbal or physical conduct of a sexual nature. For example, the Illinois Human Rights Act, defines sexual harassment as any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Unlawful discrimination means discriminating in any of the University's employment-related programs or activities on an unlawful basis, such as race, skin color, national origin, sex, including sexual orientation and gender identity, disability, age, religion, genetic information, military status, or family status. Examples of conduct that, if engaged in on an unlawful basis, would be unlawful discrimination include denying opportunities, making decisions based on stereotypes or assumptions, harassment, and retaliation for making an allegation of, participating in an investigation of, or opposing unlawful discrimination. Further descriptions of the various bases of unlawful discrimination are:

Race/Skin Color discrimination includes treating someone (an applicant or employee) unfavorably because he/she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features). Skin color discrimination involves treating someone unfavorably because of skin color complexion. Race/skin color discrimination also can involve treating someone unfavorably because the person is married to (or associated with) a person of a certain race or skin color or because of a person's connection with a race-based organization or group, or an organization or group that is generally associated with people of a certain skin color. Discrimination can occur when the victim and the person who inflicted the discrimination are the same race or skin color.

National origin discrimination includes treating people (applicants or employees) unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not). National origin discrimination also can involve treating people unfavorably because they are married to (or associated with) a person of a certain national origin or because of their connection with an ethnic organization or group. Discrimination can occur when the victim and the person who inflicted the discrimination are the same national origin.

Sex discrimination includes treating someone (an applicant or employee) unfavorably because of that person's sex. Sex discrimination includes treating someone adversely based on perceived non-conformance with stereotypes or assumptions associated with a sex (for example, discrimination based on sexual preference or orientation and discrimination based on one's gender identity) and treating someone less favorably because of his or her connection with an organization or group that is generally associated with people of a certain sex or people who are perceived to be not conforming with stereotypes or assumptions associated with a sex.

Disability discrimination includes when an employer or other entity covered by the Americans with Disabilities Act, as amended, or the Rehabilitation Act, as amended, treats a qualified individual with a disability who is an employee or applicant unfavorably because she has a disability. Disability discrimination also occurs when a [covered employer or other entity](#) treats an applicant or employee less favorably because she has a history of a disability (such as cancer that is controlled or in remission) or because she is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if she does not have such an impairment). The law requires an employer to provide reasonable accommodation to an employee or job applicant with a disability, unless doing so would cause significant difficulty or expense for the employer ("undue hardship"). The law also protects people from discrimination based on their relationship with a person with a disability (even if they do not themselves have a disability). For example, it is illegal to discriminate against an employee because her husband has a disability.

Age discrimination includes treating someone (an applicant or employee) less favorably because of his age. The Age Discrimination in Employment Act (ADEA) only forbids age discrimination against people who are age 40 or older. It is not illegal for an [employer or other covered entity](#) to favor an older worker over a younger one, even if both workers are age 40 or older. Discrimination can occur when the victim and the person who inflicted the discrimination are both over 40.

Religious discrimination includes treating a person (an applicant or employee) unfavorably because of his or her religious beliefs. The law protects not only people who belong to organized religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism, but also others who have sincerely held religious, ethical, or moral beliefs. Religious discrimination can also involve treating someone differently because that person is married to (or associated with) an individual of a particular religion or because of his or her connection with a religious organization or group.

Genetic information discrimination includes making decisions based on information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history). Family medical history is included in the definition of genetic information because it is often used to determine whether someone has an increased risk of getting a disease, disorder, or condition in the

future. Genetic information also includes an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual, and the genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Military status discrimination includes treating someone (an applicant or employee) unfavorably because of a person's status on active duty in or status as a veteran of the armed forces of the United States, status as a current member or veteran of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member or veteran of any state's Army National Guard or Air National Guard.

Family status discrimination includes treating someone (an applicant or employee) unfavorably because of a person's family status. Family status includes marital status, domestic partnership status, parental status (e.g. biological, adoptive, foster, or step parent), the status of being a custodian of a legal ward or in loco parentis over an individual, or actively seeking any of the foregoing, which includes the conditions of pregnancy and childbirth and any associated medical conditions related to pregnancy or childbirth.

Although the above defines “unlawful” harassment, it is also a violation of this policy to commit or engage in any unprofessional or inappropriate conduct based on any protected basis, whether or not such conduct rises to the level of “unlawful” harassment. Further, bullying in any manner is also a violation of this policy, even if the bullying is not based on a protected class under the law or is not otherwise prohibited by law. The University takes allegations of harassment very seriously.