

**Procedural Guidelines for Processing
Discrimination and Harassment Complaints
Based Upon Board Recognized Protected Status**

I. Introduction

The University of Akron believes that all students, faculty, staff and guests should be able to enjoy and work in an environment free from discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, age, national or ethnic origin, disability, status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, status as a foster parent, military status, genetic information or status as a veteran. The University's policies on harassment, discrimination and affirmative action can be found in Policies 3359-11-13 and 3359-38-01.¹ For the purposes of these procedures, "discrimination," "harassment," and "retaliation" have the same meanings as provided in those policies. These guidelines are not intended to change those policies but are intended to provide more information on how internal complaints submitted to the EEO Office under those policies will be processed. Collective bargaining agreement provisions will be applied as appropriate. These procedures do not apply to concerns falling under the University's Gender-Based Misconduct and Title IX Policy & Protocol.²

II. Reporting Expectations

We need the support of the entire University community to create an environment free of harassment, discrimination and retaliation based upon Board recognized protected status. Because of this, all members of the University community have a responsibility to report any harassment, discrimination or retaliation that they witness, are involved in or reasonably believe has occurred when that behavior

severity of the allegations. Allegations of criminal misconduct, including but not limited to hate crimes or sexual assaults, will be reported to the appropriate authorities.

IV. Informal Resolution

Employees are encouraged to bring their concerns to the attention of their supervisor or, if they feel comfortable, address them directly with the individual(s) engaging in the behavior. Supervisors or employees can request the assistance of the EEO Office in resolving these disputes at any time. All nonconfidential employees remain obligated to report all potential violations of Title IX, the Gender-Based Misconduct Policy & Protocol and/or the University's harassment and discrimination policies to the appropriate individual(s) as outlined in the applicable rule/policy. While employees are encouraged to resolve their concerns informally, this step is not required before raising a concern to the EEO Office.

V. EEO Responses

The EEO Office can assist in many ways to address concerns of potential discrimination or harassment. As each situation is different, some responses may better fit some situations than others. The

Formal Investigation

A formal investigation is initiated by a written complaint which alleges that a University employee or visitor has engaged in behavior which violates the University's Non-Discrimination and Harassment policy. The investigation process is a neutral process designed to review the allegations and gather facts. The investigator is not an advocate for either the Complainant or the Respondent, though the investigator can make referrals to support resources as needed by either party.

If the behavior is found to violate University's policy, then appropriate action can be taken to address that behavior, such as additional training or disciplinary action.

VI. Formal Investigation and Complaint Process

Complaints requesting a formal investigation must be made in writing. Anonymous complaints will be accepted, but the ability to respond to anonymous complaints may be limited. Complaints should be sent to:

EEO Office
Administrative Services Building, Room 143
(330) 972-7300, eeocompliance@uakron.edu

Complaints are kept confidential to the extent possible, subject to an appropriate investigation following the applicable policies, laws and due process requirements.

Filing an internal complaint with the University does not prevent you from filing a complaint with a law enforcement agency or other external agency, nor does it extend any time limits to file a complaint with those agencies.

Formal investigations will generally proceed as follows:

The investigator will use discretion in determining what interviews are conducted. All individuals participating in the investigation may provide copies of relevant documents or other information to the investigator that they believe will assist the investigator in understanding what occurred.

Witnesses will receive a written request from the investigator for an interview. Interviews will be conducted at a reasonable hour, and preferably during the employee's normal working hours. Interviews may not be recorded without the permission of the investigator.

Parties and witnesses may have a support person, advisor or legal representative accompany them

violation, which will be subject to the procedures in this Policy. Any individual who believes that they have been subjected to retaliation for making a complaint or participating in an investigation should promptly notify the EEO Office.

VIII. Recordkeeping

The EEO Office will maintain a record of all complaints received, investigatory materials, reports and the outcome of any informal process, investigation or appeal in accordance with the University's Records Retention Schedule. Information gathered during the investigation may be disclosed in accordance with applicable laws and regulations to outside agencies having jurisdiction over either the University or complaints of harassment, discrimination or retaliation. Records may also be disclosed pursuant to a public records request.

IX. For Additional Information, Please Contact:

The University of Akron
Office of Equal Employment Opportunity and Affirmative Action
(330) 972-7300, eeocompliance@uakron.edu

Tami Hannon, Senior Director, Human Resources
Administrative Services Building, Room 143
(330) 972-8201, tlz2@uakron.edu

Kelsea Homer, Equal Employment Opportunity Specialist Sr.
Administrative Services Building, Room 140
(330) 972-7904, kld67@uakron.edu

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