



**Equal Employment Opportunity  
Affirmative Action Policies**

**Diversity / Affirmative Action Office**

Revised July 2011



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A Message From the President:

I am proud of Worcester State University's history of providing access to a quality, affordable education. Our population has changed a great deal through the years, and it continues to evolve.

Our campus hosts students from over 40 countries and we welcome students and employees of all ages, abilities and backgrounds. I am proud of the rich ethnic, racial and cultural make up of our campus community. All of these differences bring their own essence and qualities to enhance the overall richness of the tapestry that is Worcester State University.

Multiculturalism works, not just for a few, but for everyone. Worcester State University is committed to social justice and we present these Equal Employment Opportunity/Affirmative Action Policies for the entire community. I want to assure that all students, faculty and staff experience a campus environment of mutual respect.

Best Wishes,

A handwritten signature in black ink, reading "Barry M. Maloney". The signature is written in a cursive, flowing style.

President Barry M. Maloney

# **WORCESTER STATE UNIVERSITY**

## **Equal Employment Opportunity/Affirmative Action Policies**

### **Position Statement**

The Massachusetts State Universities provide equal access to educational, co-curricular and employment opportunities at the Universities for all applicants, students and employees regardless of race, color, religion, gender, sexual orientation, national origin, age, disability or veteran status in compliance with all applicable laws, regulations and policies. All benefits, privileges and opportunities offered by the Universities are available to all students, employees and other persons having dealings with the institutions on a non-discriminatory basis. The Universities are committed to taking a pro-active affirmative action posture with respect to their recruitment, selection and promotion of students and employees.

Non-discrimination requires the elimination of all existing discriminatory conditions, whether purposeful or inadvertent. The Massachusetts State Universities are continuing to systematically examine all policies and procedures to be sure that they do not, if implemented as stated, operate to the detriment of any person on the basis of race, creed, religion, color, gender, sexual orientation, age, disability, veteran status, marital status or national origin. The Universities shall require that the practices of those responsible in matters of employment and education, including all supervisors and faculty, are non-discriminatory. Should the University discover discrimination in treatment or effect in any employment, educational or service decision, action, inaction or practice within the University, all appropriate corrective and/ or disciplinary actions shall be taken under the direction of the President of the University subject to any applicable collective bargaining agreement or other policy or procedure of the University.

The Massachusetts State Universities are committed to a policy of affirmative action, equal opportunity, non-discrimination and diversity. They are committed to providing a learning, working and living environment for their students, employees and other members of the University community which values the diverse backgrounds of all people. The Universities are committed to assuring that the "University Experience" is one which challenges, empowers, supports and prepares its students to live in, work in, and value our increasingly global and diverse world. The Universities believe that the diversity of socioeconomic, racial, ethnic, religious, gender, sexual orientation, age and disability backgrounds of members of the University community enriches the institutions and their various constituencies. The Universities will not tolerate behavior based in bigotry which has the effect of discriminating unlawfully against any member of their communities.

## Worcester State University Policies

The following specific policies are established:

- Affirmative action and equal opportunity shall apply to all segments of the University: full and part time employment, day and continuing education; the curriculum and offerings of the University.
- Equal opportunity and affirmative action shall be applied to the recruitment process for employment and/or access to education.
- Students will have access to the University, programs of study, activities, and other resources intended to serve them, according to the policies of the University.
- Affirmative action and equal employment opportunity will be realized in all personnel employment decisions, including recruitment application for employment, hiring, compensation, training, promotion, and termination.
- All policies, procedures, privileges, and conditions of the University will follow and incorporate applicable affirmative action and equal opportunity rules and regulations.

The above stated policies are intended to be broad on behalf of the protected groups and the goals of Worcester State University.

### Policy Against Racism

Worcester State University hereby **prohibits all forms of discrimination based on race, color, religion, and national or ethnic origin** within the University community.

The policy proscribes all conditions and all actions or omissions including all acts of harassment by personal vilification, which deny or have the effect of denying to anyone his/her rights to equality and security on the basis of his/her race, color, ethnicity, culture or religion. The policy reaffirms the values of civility, appreciation for racial/ethnic/cultural/religious pluralism and the pre-eminence of individual human dignity as preconditions to the achievement of an academic community which recognizes and utilizes the resources of all persons.

Worcester State University will vigorously strive to achieve diversity in race, ethnicity, culture and religion sufficiently reflective of our society to give our students an appreciation of and the ability to relate in our increasingly global and diverse world. Discrimination based on race, color, religion and ethnic or national origin in any form, individual or institutional, constitutes an egregious offense against the tenets of human dignity and the accords of civility espoused by the University. Such discrimination undermines the establishment of an academic and social environment of genuine cultural, racial, ethnic and religious pluralism.

Worcester State University bears a responsibility by law and an obligation by social morality to eradicate racial, ethnic, and religious discrimination as we strive to promote an atmosphere of acceptance with dignity for all individuals and groups within our University community. Worcester State University is committed to establishing and maintaining a system of learning which genuinely appreciates the social and academic value of a pluralistic educational community and fervently combats all behavior which constitutes illegal discrimination.” A violation of this policy can result in disciplinary action up to and including termination or expulsion.

## **Policy Against Sex Discrimination and Sexual Harassment**

Worcester State University prohibits discrimination on the basis of gender. Title IX of the Education Amendments of 1972 mandates that no person on the basis of sex may be denied benefits or otherwise discriminated against in any program or activity of the University, including but not limited to admissions, academic offerings, extracurricular or collegiate athletic programs, research, housing or occupational training. Comparable prohibitions are extended to University employees by state and federal law.

Sexual harassment occurs in a variety of situations which share a common element: the inappropriate introduction of sexual attention or comments into the work or learning situation. Often sexual harassment involves relationships of unequal power and contains elements of coercion- as when compliance with requests for sexual favors becomes a criterion for granting work, study or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behaviors have a harmful effect on a person’s ability to study or work in the academic setting.

Sexual harassment constitutes sex discrimination as defined under Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and Chapters 151B and 151C of the Massachusetts General laws.

Sexual harassment may be described as unwelcome advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature. Sexual harassment can involve a female and male or persons of the same gender when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or education;
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual;
3. such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance and/or creating an intimidating, hostile, or demeaning employment or educational environment.

## **Consensual Relationships**

Consenting romantic and sexual relationships between faculty and student, librarian and student, administrator and student, classified staff member and student or supervisor and employee are deemed unprofessional. Such relationships interfere with or impair professional responsibilities and interactions, **they are looked upon with disfavor and are strongly discouraged.**

Codes of Ethics for most professional associations forbid professional-client sexual relationships. In this context and for purposes of this policy, the professor-student relationship is properly regarded as one of professional and client. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in giving praise or blame, grades, recommendations for future study and employment, and other benefits and opportunities diminish the student's actual freedom of choice such that relationships thought to be consensual may in fact be the product of implicit coercion. Many elements of the administrator-student, librarian-student, classified staff member-student and the supervisor-employee relationship are similar to those of the professor-student relation because of a similar imbalance of power and a similar need of trust. For purposes of this Policy, therefore, these relationships are also discouraged and looked upon with disfavor.

Faculty, librarians, administrators, classified staff members and supervisors are warned against the dangers of apparently consensual relationships. A faculty member, librarian, administrator, or classified staff member who enters into a romantic or sexual relationship with a student, or a supervisor who enters into such a relationship with an employee, where a power differential exists, should be aware of the professional risks. Because it is difficult to prove mutual consent once a sexual harassment complaint is lodged, the University discourages these relationships and they are looked upon with disfavor.

The Title IX regulations require each school to have a designated employee responsible for handling complaints under Title IX, including but not limited to complaints of sexual harassment. The role of the Title IX Coordinator is assigned to the Affirmative Action Officer, located in the Administration Building in Room 335. The phone number is 508-929-8117.

## **Disability Discrimination Policy Statement**

Section 504 of the Rehabilitation Act of 1973 is the nation's first law to protect the civil rights of people with disabilities. Section 504 of the Rehabilitation Act of 1973 provides that:

“No otherwise qualified individual...shall solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of or be subject to discrimination under any program or activity receiving federal financial assistance.”

Temporary disabilities may also be covered by the act.

### Access to Programs

The University operates each program or activity so that the program and activity, when viewed in its entirety, is readily accessible to qualified individuals with disabilities. The University shall make reasonable accommodations for qualified individuals with disabilities in response to the specific limitations of their disabilities.

Program accessibility is a flexible principle. The University shall make accommodations following an individual assessment of existing conditions and the needs of disabled participants. In many instances, programs and activities may be made accessible through slight modifications and adjustments in procedures, practices and policies. In others, building renovation or construction may be required.

To request accommodations, academic adjustments, or auxiliary aides and services, employees and students should contact the Disability Service Director, at extension 8733.

## **Policy Against Age Discrimination**

In recognition of the problems which exist in society today because of age discrimination, and in accordance with federal and state law, Worcester State University reaffirms its commitment to prohibit discrimination based on age at all levels in the campus community.

This policy specifically prohibits the use of age as a factor, where prohibited by law, in decisions affecting the employment or educational status of a member of the University community or an applicant for admission or employment.

Some examples of age discrimination which are specifically prohibited by this policy are listed below. This list, however, is illustrative and not exhaustive.

- Stereotyping older persons in such a way as to treat or cause others to treat them differently from younger persons.
- Structuring jobs or creating functional job titles which imply that they are jobs for younger persons (i.e. Jr. Accountant, etc.).
- Excluding persons over the age of forty from a category of jobs or from certain departments or divisions based on their age rather than on their ability to perform the job.
- Advising students of similar interests differently because of their age.
- Singling out or ignoring a group of students or employees because of their age.

- Harassing or abusing, or causing others to harass or abuse, a person or group of persons because of their age where such harassment or abuse constitutes harassment because of personal vilification.
- Failing or refusing to hire or promote a person because of age.

In keeping with these policies and regulations, Worcester State University reaffirms its commitment and support of equal opportunity. The entire University community will commit itself to building an atmosphere which is conducive to meaningful learning and working for all students and staff.

## **Institutional Complaint Procedures**

Worcester State University has established specific complaint procedures to help resolve claims and complaints of discrimination on the campus. The University's "Discrimination Complaint Procedures" will serve as a system of review and resolution for both **informal** claims and **formal** complaints of discrimination. Any member of the University community who believes s/he has been a victim of discrimination may initiate the informal claim or formal complaint procedures as outlined in the University's "Discrimination Complaint Procedures." Further information or advice may be obtained by contacting the Director of Diversity/Affirmative Action Officer, located in the Administration Building–Room 335, Telephone 508-929-8117.

## **Retaliatory Action Prohibited**

Under applicable local, state or federal non-discrimination statutes, the University prohibits retaliatory action against the following:

- a.) Persons who file claims, complaints or charges under these procedures, or with an outside agency.
- b.) Persons who are suspected of having filed such claims, complaints or charges.
- c.) Persons who have assisted or participated in an investigation or resolution of such claims, complaints or charges.
- d.) Persons who have protested practices alleged to be violative of the non-discrimination policy of the University, the Higher Education Coordinating Council, or local, state or federal non-discrimination regulation or statute.

A claim of retaliation may be processed through the University's complaint procedures as well as under state and federal law. Retaliation, even in the absence of provable discrimination in the original complaint, charge or allegation, constitutes a

violation as serious as proved discrimination under the original complaint, charge or allegation. Any person who believes s/he has been retaliated against in this manner is encouraged to immediately file a claim or complaint under these procedures.

### **Other Administrative Options**

It is the intent of the administration of Worcester State University to actively respond to all claims/complaints of discrimination with the hope that it can fully, quickly and adequately resolve them internally. The University also recognizes the right of all complainants to file charges of unlawful discrimination with the appropriate federal, state or local agency with or without first pursuing a resolution of the claim/complaint through the University's discrimination complaint procedures. These agencies include:

**United States Department of Education**

Office for Civil Rights  
33 Arch Street, Suite 900  
Boston, MA 02110  
617-289-0111

**U.S. Equal Employment Opportunity Commission**

One Congress Street, 10th Floor  
Boston, MA 02114  
617-565-3200

**Massachusetts Commission Against Discrimination**

One Ashburton Place, Room 601  
Boston, MA 02108  
617-994-6111

**Massachusetts Commission Against Discrimination**

424 Dwight Street, Second Floor, Room 220  
Springfield, MA 01103  
413-739-2145

Any member of the campus community who has concerns about equal opportunity should ask to see the Director of Diversity/Affirmative Action Officer, Room 335, ext. 8117.

All policies included in this brochure are based on guidelines established by the Higher Education Coordinating Council in the Affirmative Action Equal Employment Opportunity/Diversity Plan of 2007.