

600.1 Non-Discrimination/Equal Employment Opportunity Policy Statement

Purpose To emphasize Rensselaer's commitment to a working, living and learning environment that is free from discrimination and provides equal opportunity to faculty, staff and students.

Policy Rensselaer Polytechnic Institute complies with all federal, state and local non-discrimination laws and is committed to providing a working, living and learning environment free from discrimination based on race, color, religion, sex, pregnancy, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression, age, marital status, national origin, citizenship status, disability, military status, veteran status, genetic information, genetic predisposition, domestic violence victim status, familial status¹, relationship with or association with member(s) of a protected class, legal use of tobacco products if this use occurs off premises or any other basis prohibited by law.

Rensselaer Polytechnic Institute is also committed to providing equal employment opportunities for all persons regardless of race, color, religion, sex, pregnancy, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression, age, marital status, national origin, citizenship status, disability, military status, veteran status, genetic information, genetic predisposition, domestic violence victim status, familial status, relationship with or association with member(s) of a protected class, legal use of tobacco products if this use occurs off premises or any other basis prohibited by law. Equal opportunity extends to all aspects of the employment relationship, including but not limited to hiring, transfers, promotions, training, terminations, working conditions, compensation, benefits, and other terms and conditions of employment.

Rensselaer Polytechnic Institute shall not terminate or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is:

- (a) in response to a formal complaint or charge,
- (b) in furtherance of an investigation, proceeding, hearing, or action,

¹ In accordance with the New York State Human Rights Law, familial status is defined as (a) any person who is pregnant or has a child or is in the process of securing legal custody of any individual who has not attained the age of 18 years, or (b) one or more individuals (who have not attained the age of 18 years) being domiciled with: (1) a parent or another person having legal custody of such individual or individuals, or (2) the designee of such parent.

including an investigation conducted by the Institute, or
(c) consistent with the Institute's legal duty to furnish information.

This policy applies to all employees, including faculty and members of the President's Cabinet. Rensselaer holds its employees, students and members of its community to standards of conduct which may be more stringent than those mandated by law.

Any person who violates this policy will be subject to discipline, up to and including termination.

Procedure Official functions of Rensselaer will not be held in clubs or other facilities that maintain restrictive membership requirements relating to race, color, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, age, marital status, national origin, citizenship status, disability, military status, veteran status, genetic information, genetic predisposition, domestic violence victim status, familial status, relationship with or association with member(s) of a protected class or any other basis prohibited by law. In addition, Rensselaer will not pay for membership in such clubs, or any bills for expenses incurred at such clubs.

Title IX Coordinator

Rensselaer designates the Director of Employee Relations, the Senior Human Resources Specialist/Title IX Coordinator and the Deputy to the Vice President for Human Resources as Title IX Coordinators for the Institute. The Title IX Coordinators are responsible for:

- Providing oversight for the Institute's non-discrimination, harassment, equal opportunity and non-retaliation compliance;
- Overseeing the Institute's response to, investigations of and resolution of reports of alleged violations of policies or alleged discrimination, harassment, including sexual harassment and sexual violence, and retaliation in an objective, thorough and timely manner;
- Identifying and addressing any pattern(s) or systemic problems;
- Coordinating training, prevention and education efforts with regard to discrimination, harassment, including sexual harassment and sexual violence and retaliation;
- Coordinating periodic reviews of climate and culture with regard to discrimination, harassment, including sexual harassment and sexual violence and retaliation;
- Being knowledgeable of and trained in Institute policies and procedures and relevant state and federal laws regarding discrimination, harassment, including sexual harassment and sexual violence and retaliation;
- Advising individuals, including a Complainant, a Respondent, a

witness or a third party, about the courses of action available for reporting and responding to discrimination, harassment, including sexual harassment and sexual violence and retaliation at the Institute and in the community; and

- Coordinating and supervising the work of all designated Title IX Liaison Officers.

The Title IX Coordinators can be contacted by telephone at (518) 276-3065, (518) 276-4093 or (518) 276-3980; by e-mail at HRMAIL@rpi.edu; or by visiting the Division of Human Resources at 21 Union Street, 2nd Floor, Gurley Building, Troy, New York.

Reporting Procedures

Any applicant, employee or student² who believes that there has been a violation of Rensselaer's policy or any applicable law relating to equal employment opportunities, non-discrimination, harassment, including sexual harassment and sexual violence or retaliation should immediately contact the Rensselaer's Division of Human Resources' Director of Employee Relations. All reports are promptly reviewed and appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate, Rensselaer's ability to review, investigate and respond to the conduct may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request for no action or not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by Rensselaer's Division of Human Resources' Director of Employee Relations of the Institute's chosen course of action.

The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances.

Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and

² Students can also contact the Dean of Students Office at (518) 276-6266; the Office of Undergraduate Education at (518) 276-2244; or the Office of Graduate Education at (518) 276-8433.

immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.

- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint.

Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

All employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

600.2 Sex/Gender Discrimination

Purpose To emphasize Rensselaer's commitment to the principles of non-discrimination and equal opportunity on the basis of gender, sexual orientation, transgender status, gender dysphoria, gender identity or gender expression within the Institute's working, living and learning environments.

Policy Rensselaer Polytechnic Institute's personnel actions and practices will not be based on stereotypical characterizations of men and women, or on the arbitrary preferences of co-workers, management, clients, or customers. Rensselaer prohibits discrimination and harassment on the basis of gender/sex, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression, marital status or pregnancy status in the working, living and learning environments.

Sex/gender discrimination is prohibited by federal and state law and Institute policy.

Employment policies and practices will be applied to pregnant employees on the same basis as they are applied to all other employees.

Any person who violates this policy will be subject to disciplinary action, up to and including termination.

This policy applies to all members of the Rensselaer community, including, applicants, faculty, staff, students, visitors, vendors and members of the President's Cabinet.

Procedure Personnel actions will not be influenced by an individual's sex, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression or marital status or pregnancy status. Wages and salaries will be based on job content, market factors and other relevant job-related factors.

Employee benefits will be provided without regard to sex/gender in accordance with the Plan Document for each benefit plan.

Reporting Procedures

Any applicant, employee or student³ who believes that there has been a violation of Rensselaer's sex/gender discrimination policy or any applicable law relating to such discrimination should immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations. All reports are promptly reviewed and

³ Students may also contact the Dean of Students Office at (518) 276-6266; or the Office of Undergraduate Education at (518) 276-2244; or the Office of Graduate Education at (518) 276-8433.

appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate, Rensselaer's ability to review, investigate and respond to the conduct may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request for no action or not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by Director of Employee Relation of the Institute's chosen course of action.

The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances.

Employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint. Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

All employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

600.3 Sexual Harassment Policy

Purpose To emphasize Rensselaer's commitment to creating a working, living and learning environment that is free from sexual harassment.

Definitions **Sexual harassment** is defined as unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when:

- 1) Submission to such conduct is made a term or condition of employment or participation in an academic, educational, extra-curricular, athletic or other program of the Institute;
- 2) Submission to or rejection of such conduct is used as a basis for employment or academic decisions affecting the employee or student; or
- 3) Such conduct has the purpose or effect of unreasonably interfering with work performance or participation in an academic program, or creating an intimidating, hostile, or offensive working, living or learning environment.

Sexual harassment can occur in person, by phone, text message, e-mail or other electronic, written or social medium.

Sexual Harassment can be physical, verbal and/or psychological in nature. An aggregation of a series of incidents can constitute Sexual Harassment even if one of the incidents considered on its own would not be considered harassing conduct.

While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Unwanted sexual advances or propositions (including repeated and unwelcome requests for dates);
- Offers of employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct: leering, making sexual gestures, displaying of pornographic or sexually suggestive images, objects, pictures, cartoons, graffiti, posters or websites on computers, emails, cell phones, bulletin boards, etc.;
- Verbal conduct: making or using sexist remarks or derogatory comments based on gender, innuendos, epithets, slurs, sexually explicit jokes, or lewd or sexual comments about an individual's appearance, body or dress, whistling or making suggestive or insulting sounds;
- Verbal and/or written abuse of a sexual nature, graphic verbal and/or written sexually degrading commentary about an

individual's body or dress, sexually suggestive or obscene letters, notes, invitations, emails, text messages, tweets or other social media postings;

- Physical conduct: unwelcome or inappropriate touching of employees or customers, physical violence, intimidation, assault or impeding or blocking normal movements;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity or the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work; and
 - Bullying, yelling, name-calling.
- Retaliation for making reports or threatening to report sexual harassment.

Sexual Coercion is the act of using pressure or force to have sexual contact with someone.

Sexual Violence refers to conduct that involves physical sexual acts perpetrated against a person's will forcibly or not forcibly, or where a person has not, or is incapable of, giving consent. Examples of Sexual Violence include, but are not limited to sexual assault, rape, intimate partner violence, dating violence, relationship violence, domestic violence, sexual battery and sexual coercion.

Non-Consensual Sexual Contact is defined as any sexual touching, however slight, by a person(s) upon someone else (other person(s)), regardless of gender that is without their consent, and/or by force. Non-consensual sexual contact includes non-consensual sexual intercourse.

Sexual Exploitation is defined as behavior that is designed to take advantage of another individual in a sexual way without their consent. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Non-consensual video- or audio-taping of a sexual nature;
- Sharing or publically posting, including electronically, any photo or video of a sexual nature without an individual's consent;
- Engaging in voyeurism; and
- Exposing one's genitals, or inducing someone to expose his/her genitals in non-consensual circumstances.

Policy Rensselaer Polytechnic Institute is committed to providing a working, living and learning environment free of sexual harassment, which includes sexual violence. Sexual violence includes, but is not limited to, sexual assault, rape, intimate partner violence, dating violence, relationship violence, domestic violence, sexual battery, sexual coercion and sexual exploitation. Rensselaer prohibits sexual harassment and sexual violence in all of its working, living and learning environments. Sexual harassment violates an individual's fundamental rights and personal dignity. Rensselaer considers sexual harassment in all its forms to be a serious offense.

Employees are prohibited from sexually harassing other individuals whether or not the incidents of harassment occur on Rensselaer premises and whether or not the incidents occur during working hours. In a supervisor/subordinate relationship, consensual sexual or romantic relationships between employees are prohibited. (See Human Resources Policy #200.9, *Nepotism and the Employment of Relatives*.)

Employees, including faculty, contingent faculty, research professionals, staff, graduate student teaching, learning or research assistants and members of the President's Cabinet, are prohibited from having sexual or romantic relationships with students.

Vendors, visitors and guests are prohibited from sexually harassing other individuals while on Rensselaer property.

Any person who violates this policy will be subject to disciplinary action, up to and including termination and/or will be prohibited from entering and/or remaining on any property owned or leased by Rensselaer.

This policy applies to all employees, including faculty, staff, student workers, vendors, visitors, guests, and members of the President's Cabinet.

Procedure Sexual harassment can occur against any person by any person regardless of that individual's sex, gender, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression or marital status. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, an employee or student a reward, if the employee or student complies with a sexually oriented request;

- Threatening, directly or indirectly, to retaliate against an employee or student, if he/she refuses to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee or student an employment- or academic-related opportunity, if the employee or student refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive conversation that is unwelcome or physical contact or touching another employee or student in a way that is unwelcome;
- Displaying, storing, or transmitting pornographic or sexually oriented materials;
- Engaging in indecent exposure;
- Making sexual or romantic advances toward an employee or student and persisting despite the employee's/student's rejection of the advances;
- Physical conduct such as assault, touching, or blocking normal movement;
- Sexual violence, which includes but is not limited to, sexual assault, rape, intimate partner violence, dating violence, relationship violence, domestic violence, sexual battery, and sexual coercion and sexual exploitation; and
- Retaliation for making reporting harassment or threatening to report harassment.

Reporting Procedures

Any applicant, employee or student⁴ who believes that there has been a violation of Rensselaer's policy or any applicable law relating to sexual harassment, including sexual violence⁵, should immediately contact the Division of Human Resources or a Title IX Coordinator.

Reports may be made verbally or in writing. If the reporting person chooses to do so, they may use Rensselaer's Complaint Form, which can be found at the end of Policy 600.3 as well as Policy 600.8.

All reports are promptly reviewed and appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate,

⁴ Students may also contact the Dean of Students Office at (518) 276-6266; or the Office of Undergraduate Education at (518) 276-2244; or the Office of Graduate Education at (518) 276-8433.

⁵ Victims of alleged sexual assaults will be provided with information about making a report to a law enforcement agency. However, the Institute's emphasis will be the victim's physical and emotional needs over criminal justice considerations. Nevertheless, Rensselaer will make every effort to facilitate both treatment and evidence collection (if the victim agrees) regardless of whether or not a decision has been made to report the incident to a law enforcement agency.

Rensselaer's ability to review, investigate and respond to the conduct may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request for no action or not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by a Title IX Coordinator of the Institute's chosen course of action.

The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances.

Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor, or Rensselaer's Division of Human Resources or Title IX Coordinator.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint. Supervisors must:

- Immediately contact the Division of Human Resources or a Title IX Coordinator, who will be responsible for investigating and responding to allegations of prohibited conduct.

- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

Employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

**Legal
Protections
and
External
Remedies**

Legal Protections And External Remedies

Sexual Harassment is not only prohibited by Rensselaer but is also prohibited by New York State Human Rights Law, Title VII of the federal Civil Rights Act of 1964 and some municipal laws.

Employees may file a complaint with the federal Equal Employment Opportunity Commission, the New York State Division of Human Rights or another enforcement agency, if applicable, or in a court of law. Agencies accept and investigate charges of sexual harassment. The Equal Employment Opportunity Commission has district, area and regional offices and may be contacted by visiting www.eeoc.gov, emailing info@eeoc.gov or by telephone at 1-800-669-4000 (TTY 1-800-669-6820). The New York State Division of Human Rights may be contacted by visiting www.dhr.ny.gov, by telephone at 718-741-8400, or by mail to One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Information regarding federal, state and city courts is also available online. Employees subjected to unlawful harassment may be entitled to certain remedies, including monetary damages, civil penalties, and injunctive relief (such as an order that certain action be taken or that certain behavior stop).



Rensselaer

Complaint Form

Discrimination, Harassment, Retaliation and/or Unethical Conduct against Faculty/Staff

Please provide the requested information so that the Rensselaer may investigate and resolve your complaint. You are not limited to the space provided and may attach additional pages. Once you have completed this form, you may provide the form to your Portfolio Leader and provide a copy of the form to the Division of Human Resources at hrmail@rpi.edu.

Name _____ Title _____

Department/Location _____ Supervisor _____

- A. Complaint(s) – Please describe your complaint(s), including the name of the person(s) about whom you are complaining. If your complaint involves specific comments, please include a description of the comments.
- B. Related Material – Please list, and if possible, provide copies of, any emails, text messages, letters, notes, memos, diary entries, calendars, reports, or other items that relate to your complaint(s):
- C. Persons with Information – Please list any individuals who you believe may have information about your complaint(s):
- D. Prior Report(s) – Have you reported your concerns to anyone else at the Institute? If so, please provide the name and position of the person to whom you reported the concerns, and the date of the report.

I understand that if I become aware of additional information that relates to my complaint, I must promptly provide such information to the Rensselaer Division of Human Resources. I also am aware that Rensselaer prohibits retaliation against me for filing this complaint, and I agree that I will immediately report any incident I believe is retaliatory using the procedures for reporting retaliation of the Institute.

Reporter's Signature

Date completed

Rensselaer Acknowledgment of Receipt of the Complaint Form

Portfolio Leader's Signature

Date Form Received

Division of HR Representative's Signature

Date Form Received

600.4 Other Types of Prohibited Harassment

Purpose To emphasize Rensselaer's commitment to creating a working, living and learning environment that is free from all forms of harassment.

Policy Rensselaer Polytechnic Institute is committed to providing a working, living and learning environment free of harassment based on race, color, religion, sex, pregnancy, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression, age, marital status, national origin, citizenship status, disability, military status, veteran status, genetic information, genetic predisposition, domestic violence victim status, familial status, relationship with or association with member(s) of a protected class, legal use of tobacco products if this use occurs off premises or any other basis prohibited by law or Institute policy. Such harassment violates an individual's fundamental rights and personal dignity. Rensselaer considers such harassment in all its forms to be a serious offense. This policy applies to all employees, including faculty, staff, student employees, vendors, visitors, guests, and members of the President's Cabinet.

Employees are prohibited from harassing other individuals whether or not the incidents of harassment occur on Rensselaer premises and whether or not the incidents occur during working hours.

Vendors, visitors and guests are prohibited from harassing other individuals while on Rensselaer property.

Any person who violates this policy will be subject to disciplinary action, up to and including termination. Vendors, visitors and guests who violate this policy will be barred from Rensselaer property.

This policy applies to all employees, including faculty, staff, student employees, vendors, visitors, guests, and members of the President's Cabinet.

Procedure Personnel actions will not be influenced by an individual's sex, sexual orientation, transgender status, gender dysphoria, gender identity, gender expression or marital status or pregnancy status. Wages and salaries will be based on job content, market factors and other relevant job-related factors.

Employee benefits will be provided without regard to sex/gender in accordance with the Plan Document for each benefit plan.

Reporting Procedures

Any applicant, employee or student⁶ who believes that there has been a violation of Rensselaer's sex/gender discrimination policy or any applicable law relating to such discrimination should immediately

contact Rensselaer's Division of Human Resources' Director of Employee Relations. All reports are promptly reviewed and appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate, Rensselaer's ability to review, investigate and respond to the conduct may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request for no action or not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by Director of Employee Relation of the Institute's chosen course of action.

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Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

⁶ Students may also contact the Dean of Students Office at (518) 276-6266; or the Office of Undergraduate Education at (518) 276-2244; or the Office of Graduate Education at (518) 276-8433.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint.

Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

All employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

600.5 Accommodating Individuals with Disabilities

Purpose To emphasize Rensselaer's commitment to a working, living and learning environment that is free from discrimination on the basis of disability.

Definitions Disability is defined as a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevent the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques.

Disabled Individual is defined as any person who:

- 1) has a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function; or
- 2) has a record of such an impairment or a condition regarded by others as such an impairment that is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or
- 3) is regarded as having such an impairment.

Qualified Individual with a Disability is defined as:

- 1) an individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position; or
- 2) an individual with a disability who, with the provision of reasonable accommodations, can perform the essential functions of the position that is occupied or sought in a satisfactory and safe manner.

A Pregnancy-Related Condition⁷ is defined as a medical condition related to pregnancy or childbirth.

Policy In all hiring and employment practices, Rensselaer Polytechnic Institute prohibits any and all discrimination, harassment and retaliation against qualified individuals with disabilities. This includes, but is not limited to, discrimination with respect to hiring, promotion, termination, compensation, benefits, training, and all other aspects of employment.

Rensselaer also prohibits any discrimination against an employee because she/he has a family member with a disability. In general,

⁷ In accordance with the New York State Human Rights Law, a pregnancy-related condition is considered a temporary disability.

benefits are made available to employees on an equal basis without regard to whether any individual has a disability.

Rensselaer also prohibits retaliation against any individual who reports, files a complaint, testifies and/or participates in any manner of an investigation of, or proceedings involving allegations of discrimination, harassment and retaliation on the basis of disability.

Rensselaer will provide reasonable accommodations to qualified individuals with disabilities, and to individuals with a pregnancy-related condition, after engaging in an interactive process to determine the individual's limitations and possible accommodations that will allow the individual to perform the essential functions of the position in a satisfactory and safe manner.

Any faculty member, staff member, applicant for employment or other third party who wishes to request an accommodation based on a disability or who believes she or he has been subject to discrimination, harassment or retaliation on the basis of a disability may file a report or complaint using the procedure outlined below.

This policy applies to all employees, including faculty, staff, student workers, and members of the President's Cabinet.

Procedure Reporting Procedure

Any applicant, employee, student⁸ or third party who believes that there has been a violation of Rensselaer's policy or any applicable law relating to prohibited discrimination, harassment or retaliation on the basis of disability, including providing reasonable accommodations to people with disabilities, should immediately contact Rensselaer's Division of Human Resources or ADA⁹ Coordinator (Director of Employee Relations).

Requests for an accommodation based on a disability or complaints of discrimination, harassment or retaliation on the basis of disability of may be submitted to either to Rensselaer's ADA Coordinator by e-mail to HRMail@rpi.edu (for faculty, staff or third parties), or to the Disability Services for Students Office (DSS) (for students) by e-mail to dss@rpi.edu.

A complaint of discriminatory or retaliatory conduct related to disability status is preferred to be in writing and should contain as much of the following information as possible:

- The name, address, and phone number of the person making the request or filing the report;
- The name of the person or persons allegedly subjected to the discrimination, harassment or retaliation, if different from the individual above;
- The name of the person or persons allegedly causing the

⁸ Students should contact the Disability Services for Students Office at (518) 276-8197/DSS@rpi.edu.

⁹ ADA refers to the Americans with Disabilities Act and the ADA Coordinator role is intended to comply requires under Section 504 of the 1973 Rehabilitation Act.

discrimination, harassment or retaliation;

- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses;
- The alleged effect of the incident(s) on the complainant's employment or academic status;
- The names of other employees and/or students who might have been subject to the same or similar discrimination, harassment or retaliation;
- Any steps taken to try to stop the discrimination, harassment or retaliation;
- The remedy, relief or accommodation sought; and
- Any other information the reporting person believes to be relevant to the discrimination, harassment, retaliation or request for accommodation.

The ADA Coordinator (or her/his designee) will attempt to resolve the matter, and where warranted, investigate the matter.

All investigative determinations of discrimination, harassment or retaliation will use the preponderance of the evidence standard.

All reports are promptly reviewed and appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate, Rensselaer's ability to review, investigate and respond to the report may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request for no action or not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by the ADA Coordinator of the Institute's chosen course of action.

The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances.

Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the

incident(s) and the names of any witnesses.

- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint.

Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

Employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

600.6 Religious Accommodation

Purpose To emphasize Rensselaer's commitment to a working, living and learning environment that is free from religious discrimination.

Policy Rensselaer Polytechnic Institute values and respects the diversity of its faculty, staff and students. As such, Rensselaer seeks to accommodate the religious beliefs and needs of its faculty and staff in its hiring and employment practices.

Rensselaer is a nondenominational university that welcomes all faiths. Therefore, Rensselaer will make reasonable efforts to assure that religious participation is not unreasonably restricted for any employee or student who wishes to be absent from the workplace or classroom on religious observances and holidays. In the case of conflicts between the university calendar and an individual's religious beliefs, Institute Leaders are expected to make arrangements to assure that religious participation of our students, faculty and staff is not unreasonably restricted.

This policy applies to all employees, including faculty, staff, student workers, and members of the President's Cabinet.

Procedure The Division of Human Resources provides oversight for religious accommodation issues at an Institute-wide level. An employee who thinks that his/her religious beliefs affect their work schedule, assignment, dress code, or other work-related matters should promptly contact the Division of Human Resources and his/her supervisor to evaluate possible accommodations.

Staff may request Paid Time Off (PTO) and faculty may request scheduled time off for a religious holiday or observance by contacting their immediate supervisor for approval using established departmental procedures.

Reporting Procedures

Any applicant or employee¹⁰ who believes that there has been a violation of Rensselaer's policy or any applicable law relating to the prohibition against discrimination, harassment or retaliation on the basis of religion, or the failure to provide a religious accommodation should immediately contact the Division of Human Resources.

All reports are promptly reviewed and appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate, Rensselaer's ability to review, investigate and respond to the

¹⁰ Students may also contact the Dean of Students Office at (518) 276-6266; or the Office of Undergraduate Education at (518) 276-2244; or the Office of Graduate Education at (518) 276-8433.

conduct may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request for no action or not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by the Director of Employee Relations of the Institute's chosen course of action.

The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances.

Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint. Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

Employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

600.7 Non-Retaliation Policy

Purpose To emphasize Rensselaer's commitment to a working, living and learning environment that is free from retaliation.

Definition The definition of Retaliation/Retribution includes, but is not limited to any action(s) that result in punishing, injuring or harming a co-worker, subordinate or manager for the reporting of an incident, filing a complaint, testifying and/or participating in any manner of an investigation of, or proceedings involving allegations of discrimination, harassment and retaliation.

Policy Rensselaer recognizes the need for open, honest communication among management, faculty, staff, students and other constituencies in our community. Rensselaer encourages the reporting of concerns of discrimination, harassment, retaliation, or other improper conduct.

The Institute will not retaliate, nor will it tolerate any retaliation, against any individual for reporting or disclosing, in good faith, alleged illegal or improper behavior, instance of non-compliance, safety hazards, quality issues, privacy/confidentiality breaches and/or any other types of occurrences to Rensselaer's Division of Human Resources or to federal, state or local agencies. Similarly, Rensselaer prohibits retaliation against any staff, student, faculty member or other member of the community for reporting an incident, filing a complaint, testifying and/or participating in any manner of an investigation of, or proceedings involving allegations of improper conduct, discrimination, harassment and retaliation. Retaliation is unlawful and will not be tolerated.

Any person who violates this policy will be subject to disciplinary action, up to and including immediate termination.

This policy applies to all employees, including faculty, staff, student workers and leaders. Rensselaer holds its leaders, employees, students and members of its community to standards of conduct which may be more stringent than those mandated by law.

Procedure Reporting Procedure

Any applicant, employee or student¹¹ who believes that there has been a violation of Rensselaer's policy, or who alleges illegal or improper behavior, instance of non-compliance, safety hazards, quality issues, privacy/confidentiality breaches and/or any other types of occurrences any applicable law relating to equal employment opportunities, non-discrimination, prohibited

¹¹ Students may also contact the Dean of Students Office at (518) 276-6266; or the Office of Undergraduate Education at (518) 276-2244; or the Office of Graduate Education at (518) 276-8433.

harassment, including harassment on the basis of gender/sex, should immediately contact the Division of Human Resources; the General Counsel; the Office of the Vice President for Student Life; the Vice Provost and Dean, Graduate Education; Vice Provost and Dean, Undergraduate Education; the Dean of Students; or the Department of Public Safety.

All reports are promptly reviewed and appropriately investigated. Rensselaer highly values the participation of complaining parties in the investigation process, and strongly encourages such participation. If a complaining party chooses not to participate, Rensselaer's ability to review, investigate and respond to the conduct may be limited. Recognizing that Rensselaer has a legal obligation to review all reports, the Institute will weigh the Complainant's request not to participate against such factors as the seriousness of the alleged conduct, whether there have been other complaints of a similar nature against the same Respondent, the Institute's commitment to provide a reasonably safe and non-discriminatory environment, and the rights of the Respondent to receive notice and relevant information before disciplinary action is taken. If Rensselaer determines that it is necessary to proceed with the complaint process or implement other appropriate remedies, the Complainant will be notified by the Director of Employee Relations of the Institute's chosen course of action.

The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances.

Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint. Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

Employees are also expected to comply with the reporting procedure set forth in Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

600.8 Reporting, Investigation and Resolution Procedures for Complaints of Discrimination, Harassment, Retaliation or Unethical Actions

Purpose To establish procedures for reporting, investigating and seeking resolutions to complaints of discrimination, harassment, retaliation, or perceived illegal or unethical actions.

Definition **Whistle Blowing** refers to a report to the Institute that includes but is not limited to information about activities that: could harm the public's health or safety; involve financial accountability or mismanagement of Institute funds; violate ethical or professional standards; involve fraudulent claims for federal government reimbursement; impinge on employees' rights, including the right to organize and the right to testify in proceedings under labor laws or anti-discrimination statutes; or involve violations of any applicable law or Institute Policy.

Preponderance of the Evidence is a burden of proof that means that the evidence, considered in its entirety, indicates that, more likely than not, the accused has committed the alleged behavior and violated Institute policy.

Policy Rensselaer Polytechnic Institute's complaint, investigation and resolution procedures provide for prompt, thorough, and objective investigation of all claims of discrimination, harassment, retaliation, and unethical actions. If discrimination, harassment, retaliation, or an unethical action has occurred, Rensselaer will take appropriate remedial action that is, in its sole discretion, commensurate with the severity of the offense.

All complaints of discrimination, harassment, retaliation or unethical actions must be brought to the attention of Rensselaer's Division of Human Resources' Director of Employee Relations within 180 calendar days¹² of the incident¹³. Any member of the Rensselaer's community may initiate a complaint against a faculty, staff, student or outside third party.

Rensselaer Polytechnic Institute strictly prohibits retaliation against any person for using this reporting procedure, or for filing and/or participating in any manner of an investigation of, or proceedings

¹²There is no limitation or deadline regarding when an allegation of sexual violence, sexual assault, rape, intimate partner violence, relationship violence, dating violence, domestic violence or stalking maybe reported.

¹³Complaints of discrimination, harassment and retaliation can also be filed with the U.S. Department of Education Office for Civil Rights (OCR) <https://www2.ed.gov/about/offices/list/ocr/index.html>, U.S. Equal Employment Opportunity Commission (EEOC) <https://www.eeoc.gov/>, the U.S. Department of Labor Office of Federal Contract Compliance Programs (OFCCP) <https://www.dol.gov/ofccp/>, the New York State Division of Human Rights <https://dhr.ny.gov/>, and for faculty and staff working on the Hartford Campus, the Connecticut Commission on Human Rights and Opportunities <http://www.ct.gov/chro>.

involving allegations of discrimination, harassment, retaliation or an unethical action.

Confidentiality

Rensselaer will make every reasonable effort to ensure confidentiality of the complaint process, and to protect and maintain the privacy of those individuals involved in the complaint, investigation, and resolution process; and the disclosure of any disciplinary actions imposed, except where such efforts are permitted by law. Even Rensselaer offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information provided to a non-confidential resource will be relayed only as necessary for the Director of Employee Relations to investigate and/or seek a resolution. The investigation process, however, often necessitates the disclosure of the identity of parties and witnesses, and the content of the information they have provided in order to permit an appropriate and robust investigation. Rensselaer expects participants in an internal investigation to respect and maintain confidentiality of an on-going investigation in order to maintain the integrity of the process.

Privacy

Rensselaer is precluded from sharing information related to a complaint investigation with any person who does not have a legitimate business interest in the investigation and/or resolution process.

Procedure Employee Responsibilities

If an employee believes that he/she has been subject to discrimination, prohibited harassment, retaliation or unethical action, they should immediately:

- Consider making his/her unease and/or disapproval directly and immediately known to the person(s) responsible for such discrimination, harassment, retaliation or unethical action.
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses.
- Report the incident to his/her supervisor or Rensselaer's Division of Human Resources' Director of Employee Relations.

All incidents of discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions are encouraged to be reported, regardless of the seriousness, in accordance with this policy.

Reports may be made verbally or in writing. If the reporting person chooses to do so, they may use Rensselaer's Complaint Form, which can be found at the end of Policy 600.3 as well as Policy 600.8.

Any incidents of reporting discrimination, sexual harassment, and other forms of prohibited harassment, retaliation or unethical actions, which are malicious or false, may be grounds for disciplinary action.

Supervisor Responsibilities

Supervisors must deal expeditiously and fairly with allegations of discrimination, prohibited harassment, retaliation or unethical actions whether or not there has been a written or formal complaint.

Supervisors must:

- Immediately contact Rensselaer's Division of Human Resources' Director of Employee Relations, who will be responsible for investigating and responding to allegations of prohibited conduct.
- In consultation with the Division of Human Resources, take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate discrimination, prohibited harassment, retaliation or unethical actions are in violation of this policy and are subject to disciplinary action, up to and including termination.

Division of Human Resources Responsibilities

Responsibilities include:

- Ensuring that both the individual filing the complaint and the individual accused of discrimination, harassment, retaliation or unethical actions are aware of the allegations along with the investigation and complaint resolution procedures in writing.
- Explaining Rensselaer's discrimination, harassment, retaliation and standards of conduct policies and investigation procedures.
- Exploring informal means of resolving the complaint (if applicable).
- Providing information about and/or making referrals for confidential care and support services for students (such as the Student Health Center and/or the Student Counseling Center, and for faculty and staff (such as the Employee Assistance Program)
- Providing information about reporting alleged criminal activities to local or state law enforcement agencies.
- Conducting or arranging for an investigation of the alleged prohibited conduct.
- Preparing or overseeing any reports, recommendations, or remedial action(s) that are needed or warranted to resolve any prohibited conduct.
- Ensuring that both the individual filing the complaint and the individual accused of discrimination, harassment, retaliation or unethical actions are aware of the investigative determination in writing.
- Ensuring that steps are taken to prevent the recurrence of any discrimination, harassment, retaliation or unethical actions, and correct its discriminatory effects on the complainant and others, if appropriate.

Each complaint will be assessed and resolved on a case by case basis. The following examples may be utilized to resolve a complaint, except where noted.

Early Resolution Procedures

Employees often can stop or prevent discrimination, harassment, retaliation, unethical actions by immediately and directly expressing his/her disapproval of the conduct. In any case, employees should report all incidents of discrimination, harassment, retaliation or unethical actions to his/her supervisor or the Division of Human Resources.

Some complaints can be resolved through early mediation between the two parties. The Division of Human Resources may arrange for or facilitate mediation between the parties and coordinate other informal problem resolution measures. Such early resolution may resolve the situation before moving to the formal complaint procedure, provided both parties agree on remedial action.

NOTE: Early Resolution Procedures, including mediation, will not be used to respond to or resolve complaints alleging sexual violence or sexual assault

Formal Resolution Procedures

All incidents of discrimination, harassment, retaliation or unethical actions should be reported. An employee may report an alleged incident of a Policy violation to Director of Employee Relations immediately, skipping efforts to informally resolve the situation, or at any time during or following informal resolution procedures.

Complaints should be reported as soon as possible after an incident of alleged discrimination, harassment, retaliation or unethical action occurs and/or when the informal resolution either fails or the complainant elects to initiate the formal complaint resolution procedure. To facilitate a prompt and thorough investigation, the complainant or reporting individual should provide as much of the following information as is possible:

- The name, address, and phone number of the person making or filing the report;
- The name of the person or persons allegedly subjected to the discrimination, harassment, retaliation or unethical, if different from the individual above;
- The name, department, and position of the person or persons allegedly causing the discrimination, harassment, retaliation or unethical action.
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses.
- The alleged effect of the incident(s) on the complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment.
- The names of other employees and/or students who might have

been subject to the same or similar discrimination, harassment, retaliation or unethical action.

- Any steps the complainant has taken to try to stop the discrimination, harassment, retaliation or unethical action.
- The remedy sought; and
- Any other information the complainant believes to be relevant to the discrimination, harassment, retaliation or unethical action complaint.

All investigative determinations of Discrimination, Harassment, including Sexual Harassment and Sexual Violence, Retaliation or Unethical Actions will use the *preponderance of the evidence* standard.

Rensselaer will make all reasonable efforts to conclude the investigative process in a timely manner¹⁴.

¹⁴ Generally within 120 calendar days.



Rensselaer

Complaint Form

Discrimination, Harassment, Retaliation and/or Unethical Conduct against Faculty/Staff

Please provide the requested information so that the Rensselaer may investigate and resolve your complaint. You are not limited to the space provided and may attach additional pages. Once you have completed this form, you may provide the form to your Portfolio Leader and provide a copy of the form to the Division of Human Resources at hrrmail@rpi.edu.

Name _____ Title _____

Department/Location _____ Supervisor _____

- A. Complaint(s) – Please describe your complaint(s), including the name of the person(s) about whom you are complaining. If your complaint involves specific comments, please include a description of the comments.
- B. Related Material – Please list, and if possible, provide copies of, any emails, text messages, letters, notes, memos, diary entries, calendars, reports, or other items that relate to your complaint(s):
- C. Persons with Information – Please list any individuals who you believe may have information about your complaint(s):
- D. Prior Report(s) – Have you reported your concerns to anyone else at the Institute? If so, please provide the name and position of the person to whom you reported the concerns, and the date of the report.

I understand that if I become aware of additional information that relates to my complaint, I must promptly provide such information to the Rensselaer Division of Human Resources. I also am aware that Rensselaer prohibits retaliation against me for filing this complaint, and I agree that I will immediately report any incident I believe is retaliatory using the procedures for reporting retaliation of the Institute.

Reporter's Signature

Date completed

Rensselaer Acknowledgment of Receipt of the Complaint Form

Portfolio Leader's Signature

Date Form Received

Division of HR Representative's Signature

Date Form Received