

MISSISSIPPI STATE UNIVERSITY  
HARASSMENT TRAINING FOR SUPERVISORS

## **Purpose**

Harassment, as defined by the Equal Employment Opportunity Commission (EEOC), “is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Harassment is unwelcome conduct that is based on race, color, sex, religion, national origin, disability, and/or age. Harassment becomes unlawful where (1) enduring the offensive conduct becomes a condition of continued employment, or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive” (<http://www.eeoc.gov/types/harassment.html>).

Harassment based upon race, color, religion, sex, national origin, age, or disability is a form of discrimination and is prohibited by federal laws. Harassment based on sexual orientation or group affiliation is prohibited by MSU policy. The University, in its efforts to foster an environment of respect for the dignity and worth of all members of the university community, is committed to maintaining a work-learning environment free of harassment. Supervisors have a responsibility to ensure compliance with all applicable laws and regulations and to create a safe and pleasant workplace environment for their employees. Therefore, supervisors must be familiar with anti harassment laws and regulations and possible consequences of violations. This policy provides guidelines for training supervisors on federal laws and university policy regarding harassment.

A supervisor is a person who:

- independently selects subordinates or participates in the interview process of subordinates and recommends who should be hired to a higher level manager, who customarily gives substantial weight to the recommendation.
- independently determines the performance ratings or initially decides the ratings to be given a subordinate and submits them for review to a higher level manager who customarily approves the recommended evaluation; and formally communicates the performance evaluation to the subordinate.
- exercises independent judgment in determining what work is to be done and who will do it or is given work by a higher level administrator and then exercises independent judgment to determine the distribution of the work to subordinates.
- independently decides within budgetary limitations the amount of subordinate merit increases, determines who will be selected for promotional opportunity and decides which positions to recommend for reclassification or makes recommendations on these actions to a higher level manager, who customarily given substantial weight to the

recommendation.

- has independent authority to issue oral reminders, written reminders, and suspensions or independently determines what discipline (including dismissal) should be imposed on a subordinate and submits and/or recommends the same for review and/or approval to a higher level manager, who customarily gives substantial weight to the supervisor's recommendation.

Student workers and graduate assistant positions are excluded from the subordinate/employee group.

## **Policy**

Employers are prohibited, by federal law, from discriminating against employees based upon race, color, religion, sex, national origin, age, or disability. MSU policy prohibits discrimination against individuals based on sexual orientation or group affiliation. The Office of Diversity & Equity Programs (ODEP) monitors workplace harassment and must ensure all MSU employees are educated on anti-harassment laws and policies. An online *Harassment Training Module* has been created to facilitate training. The module is located on the ODEP home page at <http://www.msstate.edu/president/odep/>.

## **Procedure**

### All Supervisors

1. Effective October 1, 2007 all persons employed to work at Mississippi State University in a supervisory position shall complete the *Harassment Training Module* located on the Office of Diversity & Equity Programs' home page at <http://www.msstate.edu/president/odep/> no later than 30 days following first day of employment.
2. All employees hired prior to October 1, 2007 and are supervisors shall complete the training module by December 31, 2007.
3. A *Completion of Training Certificate* shall be issued to employees who complete the training module and earn a passing score on the quiz located at the end of the training module.
4. Employees who fail to earn a passing score shall repeat the training and quiz until he/she earns a passing score.
5. The Office of Diversity & Equity Programs shall mail the *Completion of Training Certificate* to the employee within five to seven days after he/she completes the training module.

6. A copy of the employee's *Completion of Training Certificate* will be placed in his/her personnel file which is located in the Human Resources Management (HRM) office.

#### Correction of Inappropriate Employee Conduct

1. University employees are expected to perform their job duties in a professional and responsible manner. Inappropriate employee conduct includes, but is not limited to, harassment. Correction of inappropriate employee conduct may require the employee to complete the *Harassment Training Module*, in addition to the appropriate disciplinary action.
2. If the employee is required to complete the *Harassment Training Module*, the supervisor shall place a time restriction on when the employee must complete the training module.
3. A *Completion of Training Certificate* shall be issued to employees who complete the training module and earn a passing score on the quiz located at the end of the training module.
4. Employees who fail to earn a passing score shall repeat the training module and quiz until they earn a passing score.
5. The Office of Diversity & Equity Programs shall mail a *Completion of Training Certificate* to the employee within five to seven days after he/she completes the training module. A copy of the training certificate will be placed in the employee's personnel file which is located in HRM, and a copy will be sent to the employee's immediate supervisor.

#### **Review**

This policy and procedure will be reviewed by the Director of Diversity and Equity Programs as needed.

OP #03.04  
Effective 10/01/2007

## Authorization

Recommended by:

<u>/s/ Mary L. Alexander</u>	<u>09-06-07</u>
Dr. Mary L. Alexander, Interim Director	Date

Reviewed by:

<u>/s/ Don Zant</u>	<u>09-06-07</u>
Mr. Don Zant, Internal Auditor	Date

Reviewed by:

<u>/s/ Charlie Guest</u>	<u>09-07-07</u>
Mr. Charlie Guest	Date

Approved by:

<u>/s/ Robert H. Foglesong</u>	<u>09-17-07</u>
Dr. Robert H. Foglesong, President	Date