

## **SEXUAL HARASSMENT**

### **Sexual Harassment**

In accordance with University of Tennessee Health Science Center Personnel Procedure #280 and University of Tennessee System Policy HR0280, Sexual Harassment, the University of Tennessee Health Science Center and University Wide Administration are committed to providing a harassment free environment for the entire campus community (Faculty, staff, students, and applicants). Sexual harassment will not be tolerated and will be grounds for disciplinary action.

The University of Tennessee Health Science Center is committed to fostering an environment that prevents sexual harassment of students and employees. The University has a commitment to professionalism, fostered by an atmosphere of mutual trust and respect. These commitments are threatened when persons in positions of authority abuse the trust placed in them.

The University's Sexual Harassment Policy includes relationships between a Faculty member and a student when the Faculty member has a professional responsibility for the student.

The UT College of Medicine Chattanooga follows the Equal Employment Opportunity Commission's guideline definition of sexual harassment as its guideline for defining sexual harassment.

This guideline defines sexual harassment as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature, which includes conduct based on gender, pregnancy, sexual orientation, and gender identity, regardless of whether those characteristics receive protected treatment under state or federal law, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or status in a program, (2) submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or work environment or creating an intimidating, hostile, abusive, or offensive learning or working environment. These definitions apply to Students as well as to Residents or other employees who may have a complaint of sexual harassment.

In order for behavior to be considered sexual harassment, the behavior must be unwelcome and of a sexual nature.

Sexual harassment is not limited to personal interactions, but can occur via telephone, texting, social media, the internet, and other methods of communication.

Examples of conduct that may constitute sexual harassment include, but are not limited to the following:

- Comments (either oral or written, including electronic correspondence, social media, etc.) of a sexual nature which normally will not include matters appropriate to discuss as part of University academic activity, such as courses, colloquia, seminars, lectures, etc.;
- Statements, questions, jokes or stories of a sexual nature;
- Verbal harassment or abuse of a sexual nature
- Subtle pressure for sexual activity
- Sexist remarks about a person's clothing, body or sexual activities
- Unwanted touching, hugging, patting, or pinching a person's body
- Sexual propositions, invitations, solicitations, or flirtations
- Demands or requests (either explicit or implicit) of a sexual nature as a term or condition of employment or academic status;
- Repeated requests for dates after refusal;
- Inappropriate display of sexually suggestive or pornographic materials, including objects, pictures, videotapes, graffiti and/or visuals that are not germane to any business or academic purpose; in addition to displaying or transmitting sexually suggestive electronic content, including inappropriate emails or texts;
- Rape, attempted rape, or other sexual assault.

### **Whom should I contact?**

If you witness harassment or believe that you have been harassed, please follow the instructions below.

1. If you have been harassed or are a witness to the sexual harassment of Students, Residents, Faculty, Staff, or patients/clients, please notify your Program Director, Faculty, and our local Equity and Diversity Officer for the UT College of Medicine Chattanooga, Jane Clay (Director of Finance and Administration).
2. If you receive a report of harassment from a Medical Student or witness the harassment of a Medical Student, please notify Ms. Clay.

### **Office of Finance and Administration**

Jane Clay, Director of Finance and Administration, and Equity and Diversity Officer  
 960 East Third St, Suite 100  
 Chattanooga, TN 37403  
 (423) 778-7840  
[Jane.Clay@erlangers.org](mailto:Jane.Clay@erlangers.org)

All complaints by Faculty, Residents, Students, or Staff at the UT College of Medicine Chattanooga should be directed to our Director of Finance and Administration, Jane Clay. She will coordinate with the UT Health Science Center Office of Equity and Diversity in Memphis:

### **Office of Equity and Diversity**

Michael Alston, EdD, CCPD/AP  
 Assistant Vice Chancellor for Equity and Diversity & Title IX Director  
 920 Madison Avenue, Suite 825; Memphis, TN 38163; (901) 448-2112  
[oed@uthsc.edu](mailto:oed@uthsc.edu)

A prompt investigation will be conducted in an attempt to determine all of the facts concerning the alleged harassment. Retaliation against any employee or student who reports a claim of sexual harassment or against any employee or student who participates in the investigation of a complaint will not be tolerated by the University. If it is determined that sexual harassment has occurred, corrective action will be taken. Depending upon the circumstances, this corrective action may include a reprimand, demotion, discharge or other appropriate actions. A person bringing a frivolous allegation of sexual harassment may be subject to disciplinary action, which could include termination.

All Residents are required to complete the Sexual Harassment Avoidance Training online compliance module.

### **Respect for Persons**

The University of Tennessee System Policy on Code of Conduct, HR0580 reads as follows: The University of Tennessee places a high value on human relations, human diversity and human rights. Consistent with these values, the University strives to maintain a work environment that is characterized by mutual respect for all individuals. Such an environment has no place for harassment or discrimination based on race, gender, religion, national origin, age, veteran status, or disability; such behavior will not be tolerated. As befitting the University's commitment to its public service mission, University Faculty and staff are expected to treat one another, students, and the general public in a cordial and respectful manner.

### **Respect for Others**

People are the University of Tennessee's most important resource for accomplishing its teaching, research, and public service missions. Accordingly, employees are expected to be committed to creating an environment that promotes academic freedom, diversity, fair treatment, and respect for others. Employees are expected to treat one another, students, and the general public in an honest and respectful manner.

\*The term, "Resident" refers to both Resident and Fellow trainees.

Reviewed and Approved by the GMEC 5/16/2017. Administrative edits 6/16/2020.