

## Institution Policy Harassment (Policy Against)

### Policy Information

- **Issue Date:** February 7, 2003
- **Revision Date:** January 29, 2016
- **Primary Contact:** Director of Human Resources and EEO Officer
- **Senior Administration:** Vice President of Finance & Administration
- **Responsible Office:** Human Resources

### Policy Statement

The Woods Hole Oceanographic Institution is committed to maintaining a positive, respectful working and learning environment, and an environment free of illegal discrimination and harassment. Institution scientists, administrators, managers and supervisors ashore and at sea are obligated to strongly support this effort and report any behaviors or actions that could be construed as discriminatory or harassment. All shore-based and at-sea employees, postdocs and students of the Institution as well as those who have a relationship with the Institution including Trustees, Corporation members, Guest Investigators, contractors, vendors, customers, etc., are expected to support this goal while affiliated with the Institution.

### Reason for Policy

As a matter of policy, the Institution endorses the principle of equal employment opportunity and prohibits sexual harassment and all other forms of discriminatory harassment.

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## Who Should Be Familiar With This Policy

Employees

Postdocs

Students

Other individuals who have a relationship with the Institution that enables the Institution to exercise some control over their conduct in places and activities that relate to the Institution's business (e.g. Trustees, Corporation Members, Guest Investigators, contractors, vendors, customers, etc.)

## Related Documents

### Institution Policies

Human Resources: [Equal Employment Opportunity/Affirmative Action Policy](#)

Human Resources: [Respectful Workplace and Violence Prevention Policy](#)

### Other Documents

Brochure – [Harassment: Resources for Students, Postdocs and Staff \(pdf\)](#)

## Contacts

### EEO Officer/Title IX Coordinator

[eeo@whoi.edu](mailto:eeo@whoi.edu)

(508) 289-2705

### WHOI Ethics Hotline

[www.who.ethicspoint.com](http://www.who.ethicspoint.com)

866-868-0920

## Definitions & Responsibilities

These definitions apply to these terms as they are used in this policy.

- Sexual Harassment** Sexual harassment means unwelcome sexual advances, requests for sexual favors, and any written, verbal or physical conduct of a sexual nature when:
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a postdoc or student's status in a course, program or activity;
  - submission to or rejection of such conduct is used as a basis for academic or employment decisions affecting that individual; or

- c. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational experience and/or creating an intimidating, hostile, humiliating, or offensive working, academic, or living environment.

**Other Discriminatory Harassment**

Other discriminatory harassment means written, verbal or physical conduct, whether on or off the premises, during related travel, on shore, in the field and/or at sea, which has the intent or effect of unreasonably interfering with any individual's or group's academic or work performance or which creates an intimidating, hostile or offensive educational or work environment, when such conduct is based upon race, color, religious creed, national origin, ancestry, gender, gender identity, age, handicap (disability), mental illness, retaliation, sexual orientation, and genetics, and/or status as a veteran or any other basis which is deemed to be discriminatory.

## Overview

**Condition of Employment/Status in a Program**

Compliance with this policy is a condition of each employee's employment and of each student or postdoc's status in a program. Employees, postdocs, and students are encouraged to ask any questions and share any concerns about this policy and/or concerns about possible discriminatory harassment with the EEO Officer/Title IX Coordinator.

**Where and When Policy Applies**

This policy applies to all work-related settings and activities, whether inside or outside the workplace, and includes time at sea or in the field, business trips and business-related social events.

**Use of Institution Property**

Institution property (e.g. telephones, copy machines, facsimile machines, tablets, computers, and computer applications including but not limited to e-mail, texting and Internet access), including property leased, rented, chartered, both at sea and on shore, may not be used to engage in conduct that violates this policy.

**Sexual Harassment**

Sexual harassment is unlawful. For purposes of this policy, sexual harassment means unwelcome sexual advances, requests for sexual favors, and any written, verbal or physical conduct of a sexual nature (whether implied, innuendo, or otherwise) when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a postdoc or student's status in a course, program or activity; or,
2. submission to or rejection of such conduct is used as a basis for academic or employment decisions affecting that individual; or
3. such conduct (as discussed further below) has the purpose or effect of unreasonably interfering with an individual's work or educational experience and/or creating an intimidating, hostile, humiliating, or offensive working, academic, or living environment.

**Other Discriminatory Harassment**

For purposes of this policy, other discriminatory harassment means written, verbal or physical conduct, whether on or off the premises, which has the intent or effect of unreasonably interfering with any individual's or group's academic or work performance or which creates an intimidating, hostile or offensive educational or work environment, when such conduct is based upon age, race, color, national origin, gender, gender identity, sexual orientation, religion, creed,

**Forms of Sexual Harassment and Other Discriminatory Harassment**

disability or status as a veteran.

Sexual harassment and other discriminatory harassment can take many forms. It can be blatant or subtle, verbal or physical, printed on paper or communicated electronically. Examples of conduct that can, depending on the circumstances, constitute sexual or other discriminatory harassment are:

- Outright propositions/improper suggestions or requests for sexual favors
- Threats or promises regarding compliance with sexual behavior
- Sexist, racial or ethnic jokes, slurs, or cartoons; lewd or obscene remarks; disparaging remarks relating to gender, race, ethnicity, etc.
- Abuse, insults, or jokes concerning sexual orientation, including insinuations or offensive comments about private life or lifestyle
- Sexual or racial innuendoes or offensive sexual or racial statements disguised or presented as humorous
- Unwanted physical conduct, including touching, pats, hugs, squeezes, brushing against, putting arm around another person
- Unwelcome advances such as repeatedly asking someone out on a date in spite of past refusals
- Actions or sounds – whistling, cat-calls, suggestive sounds, obscene gestures, display of offensive pictures or graffiti that would be found offensive by a reasonable colleague
- Stalking or following someone in an unacceptably unprofessional fashion
- Imbalance of attention, whether it be positive or negative, towards a group of or individual employee, postdoc or student based upon any of the that has the intent or effect of providing an inequitable work or educational environment
- Any form of assault – sexual or otherwise.

**Offensive Conduct**

Offensive conduct of a sexual nature or offensive conduct relating to age, race, color, national origin, gender, gender identity, sexual orientation, religion, creed, disability or veteran status will not in all cases constitute sexual harassment or discriminatory harassment as defined in this policy. However, such offensive conduct can be detrimental to the Institution's working and learning environment. Therefore, such offensive conduct is also a violation of this policy, even if it does not meet the standard for sexual harassment or other discriminatory harassment.

**Retaliation**

It is also unlawful and a violation of this policy to retaliate against an individual for making a report of sexual harassment or other discriminatory harassment or for cooperating with an investigation of a complaint of sexual harassment or other discriminatory harassment.

**Procedures**

**Reporting Perceived**

Employees of the Institution, postdocs and students should promptly report any incident of perceived harassment affecting them or others according to the procedure below:

**Harassment**

Whenever possible, such incidents should be reported to the supervisor or academic advisor, department head or administrator, ship's Captain or Chief Scientist, or other appropriate resource personnel. The individual to whom the incident is reported should report a serious allegation to the EEO Officer and/or the Title IX Coordinator as appropriate. The EEO Officer is available to help an employee, postdoc or student resolve concerns while offering as much privacy and confidentiality as the Institution can provide given the circumstances. Similarly, the Title IX Coordinator is available for postdocs and students.

If the circumstances warrant an investigation, the EEO Officer, Title IX Coordinator, and/or the General Counsel or designee will investigate the allegations, typically including interviewing anyone identified as an offending individual and witnesses who may have relevant information. The investigation will be undertaken promptly. While the location of incidents (e.g., at sea) may affect the timing of an investigation, the Institution will strive to complete an investigation as promptly as can reasonably be expected under the circumstances.

An alternative resource for employees, postdocs, and students is the WHOI Ethics Hotline hosted by an independent third party hotline provider called EthicsPoint. EthicsPoint provides a neutral, confidential resource to report concerns. Reporting can be accomplished by placing a phone call or through a confidential website. The reporting person may choose to be anonymous or to identify themselves when reporting the concern. The reporting person may also request that no action be taken. The WHOI Ethics Hotline can be accessed by either calling: 866-868-0920 or by visiting the website [www.who.ethicspoint.com](http://www.who.ethicspoint.com). Communications with EthicsPoint are not considered official notice to the Institution and are confidential to the full extent possible unless or until the individual decides otherwise. However, an anonymous report should be aware that, depending on the report and allegations, an investigation may still be necessitated depending on the circumstances.

Initially, resolution through informal, with all Institutional support requested or available, means is encouraged and, in most instances, will be satisfactory. However, if the problem remains unresolved, or if the problem reoccurs, more formal action, including an investigation, may be taken.

Whether the report is made informally (through EthicsPoint) or formally (through the EEO Officer or Title IX Coordinator), it will be handled as discreetly and with as much confidentiality as is reasonably possible, and as allowed under Title IX and other laws.

The WHOI Ethics Hot Line: Phone Number: 866-868-0920      Website:  
[www.who.ethicspoint.com](http://www.who.ethicspoint.com).

The information provided through the WHOI Ethics Hotline noted above will be shared with the Institution's EEO Officer and/or Title IX Coordinator by EthicsPoint on a completely confidential and anonymous basis. Unless the individual provides permission through EthicsPoint, personal contact information will not be shared. Communication between individuals filing a report and the Institution's EEO Officer and/or Title IX Coordinator will be facilitated entirely through EthicsPoint. The WHOI Ethics Hotline noted above should not be used casually or inappropriately.

**Other**

The Institution strongly encourages employees, postdocs and students to bring any

**Reporting** concerns about possible sexual or other discriminatory harassment to the Institution's attention. Inquiries may also be directed to the agencies responsible for government enforcement of employment discrimination laws as listed below:

Massachusetts Commission Against Discrimination  
One Ashburton Place, Rm. 601  
Boston, MA 02108  
(617) 994-6000

United States Equal Employment Opportunity Commission  
One Congress Street, 10th Floor  
Boston, MA 02114  
(617) 565-3200

**Violations** As with any other Institution EEO policy, individuals found in violation of this policy are subject to disciplinary action, which may include any level of counseling, warnings, transfers, suspensions, reductions in pay or duties, and/or termination of employment.

Appropriate disciplinary action will be taken against anyone who engages in any form of retaliation against a person reporting sexual harassment or other discriminatory harassment or against any other person who cooperates with an investigation into alleged violations of this policy.

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