New Employee Orientation: Equal Opportunity and Compliance Training

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Federal and State EEO Laws

- **TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**
- **TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972**
- **THE GENETIC INFORMATION NON-DISCRIMINATION ACT**
- **THE AGE DISCRIMINATION IN EMPLOYMENT ACT**
- **THE FLORIDA CIVIL RIGHTS ACT**
- **THE AMERICANS WITH DISABILITIES ACT**
- **THE PREGNANCY DISCRIMINATION ACT**
- **THE REHABILITATION ACT**
- **THE EQUAL PAY ACT**
Protected Groups at FSU

FSU prohibits discrimination based on: race, creed, color, sex, religion, national origin, age, disability, genetic information, veterans’ status, marital status, sexual orientation, gender identity, gender expression, and other legally protected groups.
FSU’s Policies

1. Equal Employment Opportunity (EEO) Statement
2. Equal Opportunity, Non-Discrimination, and Non-Retaliation Policy
3. Americans with Disabilities Act (ADA) Policy
4. Sex Discrimination and Sexual Misconduct Policy
FSU’s Non-Discrimination and Sexual Misconduct Policies

Prohibit:

• Denying employment/educational opportunities;

• Taking negative employment/academic action;

• Creating a hostile work/academic environment; or

• Quid pro quo harassment

because of an individual’s membership in a protected group.
Zero Tolerance Policy

FSU has a duty to:
- Investigate
- Eliminate
- Address effects
- Prevent recurrence

Applies to all students, faculty, staff, visitors, and contractors (24/7).
Applies to all programs and activities, both on and off campus (24/7).
Examples of Inappropriate Behavior

- Mocking the clothes, food, or physical appearance of people from different cultures or who have different religious beliefs or sexual orientations.

- Engaging in “humor” based on stereotyping/denigrating members of protected groups. In-group joking is also inappropriate.

- Making fun of accents or names.

- Refusing to use an employee’s or student’s preferred gender pronoun.

- Using hate speech.
Retaliation is prohibited against individuals who:

- **Complain**: Make a complaint (internal/external/lawsuit)
- **Help**: Help someone report
- **Participate**: Participate in investigations
- **Oppose**: Oppose discrimination
- **Request**: Make a request for a reasonable accommodation
Retaliation

Retaliation occurs when an adverse action is taken against an employee or a student because the employee or student engaged in a protected activity.
Retaliation is a violation of University Policy

DO NOT VIOLATE

Retaliation is a violation of University Policy, even if there was no underlying discrimination.

DO MONITOR

Must proactively monitor.
Reporting Requirements: 
What to Do If Someone Discloses to You

Any student, applicant, faculty member, or staff employee who has witnessed or is aware of what is perceived to be a violation of the non-discrimination policy is strongly encouraged to promptly report that conduct to EOC.

***Concerns may also be brought to any supervisor or administrator, who will make a referral to the EOC as appropriate.***

Any supervisor who has witnessed, becomes aware of, or receives a complaint of discrimination and/or retaliation involving a person within that supervisor's purview must promptly report the matter to EOC.

Failure to promptly report can result in disciplinary action.
How to Report Complaints Against Employees

In person/by telephone
Human Resources, Equal Opportunity & Compliance (EOC)
Main number:
850-645-6519
Amber Wagner
amwagner@fsu.edu (850) 645-1458

Marcy Valenzuela
mvalenzuela@fsu.edu (850) 645-9469

Title IX Office:
Mandy Hambleton
mhambleton@fsu.edu
(850) 644-6271

In writing
Letter
Email
EOC’s complaint form:
http://compliance.hr.fsu.edu/forms/DiscriminationComplaintForm.pdf

FSU Hotline
www.fsu.ethicspoint.com or
855-231-7511

Online
(including anonymously) at report.fsu.edu
How to Report Complaints Against Students

• Online: https://report.fsu.edu

• Sexual Misconduct: Title IX Director
  Mandy Hambleton: mhambleton@fsu.edu or (850) 644-6271

• Other Discrimination: Dean of Students Department
Reasonable Accommodations

A reasonable accommodation is any change to a job, the work or academic environment, or the way work is usually done so that an individual may apply for, perform, and enjoy equal access to job or academic benefits:

Disability
Religion
Pregnancy
Disability Accommodations

Disability accommodations are adjustments/modifications that allow an employee to complete the essential functions of the job or ensure a student has equal access to University programs and activities.

Employees should contact their supervisor or EOC to initiate a request for a reasonable accommodation and students should contact their instructors and/or the Student Disability Resource Center.

Each disability accommodation request is assessed on a case by case basis through what is referred to as the “interactive process.” An accommodation may be denied if it causes an undue hardship.

Supervisors must report employee requests for disability accommodations to the EOC within two business days of learning of the need.
Disability Accommodation Examples

• Modification of a work schedule
• Purchase of specialized software
• Provision of readers, scribes, or note takers
• Modifying the layout of a workspace or classroom
• Window coverings
• Air cleaners/purifiers
• Service animals or emotional support animals
Religious Accommodations

Adjustments/modifications that allow an employee to complete the essential functions of the job or ensure a student has equal access to University programs and activities.

Employees should contact their supervisor or EOC to initiate a request for a reasonable accommodation and students should contact their instructors.

Each religious accommodation request is assessed on a case by case basis. An accommodation may be denied if it causes an undue hardship.

Contact EOC with any employee-related accommodation questions.

Contact the Dean of Students Office with any student-related religious accommodation questions.
Religious Accommodations: Examples

- Schedule Changes – arrival, departure, use of annual leave, flexible breaks
- Voluntary shift swaps
- Dress code variances: head covering, facial hair, religious symbols, garb
- Space for worship
Pregnancy Accommodations

Adjustments/Modifications within the workplace that allow an employee to complete the essential functions of the job or ensure a student has equal access to University programs and activities.

Applicable during the pregnancy and post-pregnancy recovery and lactation period.

Employees should contact their supervisor or EOC to initiate a request for a pregnancy accommodation.

Each pregnancy accommodation request is assessed on a case by case basis and may be denied if it causes an undue hardship.

Students should contact the Title IX office with any pregnancy accommodation questions.
Pregnancy Accommodation Examples:

- Requesting a footstool or other furniture at a work station to enable the employee to elevate her legs.
- Requesting to flex work hours to make up time missed for doctor’s appointments.
- Asking to be allowed to have a beverage/snack in spaces in which it is otherwise prohibited or requesting frequent breaks to allow for consumption outside of the space.
Break Time for Nursing Mothers

Required by FSU Policy

Mirrors The Fair Labor Standards Act (FLSA)

Reasonable break time
1 year after child’s birth
Private, non-bathroom location
Commitment to Affirmative Action

Florida State University is committed to the practice of equal opportunity and affirmative action in all aspects of employment for qualified minorities, women, protected veterans, and individuals with disabilities. Efforts should be made to attract and retain underrepresented groups in the available labor market.

FSU’s Equal Opportunity Statement can be viewed at:

https://www.hr.fsu.edu/PDF/Publications/diversity/EEO_Statement.pdf
EEO Clause

An Equal Opportunity/Access/Affirmative Action/Pro Disabled and Veteran Employer.

Equal Employment Opportunity/Affirmative Action information is available on the University's EOC webpage (https://hr.fsu.edu/?page=eoc/eoc_affirmative_action).
Make the Connection

FEDERAL LAW

YOU

FLORIDA STATE LAW

FLORIDA STATE UNIVERSITY POLICY
Thank you for your participation.

EOC@ADMIN.FSU.EDU

850-645-6519