



Welcome to FSU New Employee Orientation training. The Equity, Diversity & Inclusion Office is located in Human Resources. In this training, you will learn the basics of equal opportunity law and the University's equal opportunity policies, and how they impact you as an FSU employee.

Navigation:

Use the navigation panel (on the left side of the screen) to move through each section. A checkmark will appear next to each section you complete. Please complete all sections (including all interactive media) at your own pace before moving on to the next section.

Click **START COURSE** to begin.

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Course Objectives



Training and Organizational Development

Overview

This training will address federal and state Equal Employment Opportunity (EEO) laws and FSU policies and practices. We will also review the role of the University Human Resources' Equity, Diversity & Inclusion (EDI) Office in addressing discrimination and advise you of both the protections afforded to you, as well as the expectations the University has of you, as an employee.

EEO-related Laws & Policies

Federal & State EEO Laws



Training and Organizational Development



Laws

FSU is subject to federal and state Equal Employment Opportunity ("EEO") laws as an employer.

In addition to federal and state EEO laws, FSU has non-discrimination policies with similar protections. These protections at FSU apply to employees, students, volunteers, visitors, and contractors.

In this training, "discrimination" refers to actions or behaviors that negatively impact employees or students because of their membership in a protected class (which will be discussed in upcoming modules).

So, while it may be inappropriate and unfair to treat someone differently for a multitude of reasons (for example, because of their political beliefs, the color of their hair, or their personality), it is **unlawful** to treat someone differently because of their membership in a protected class – that is discrimination.

Let's briefly review the relevant federal and state laws. Click on each of the nine cards below to reveal a description of the laws.

Title VII of the Civil Rights Act of 1964

Prohibits discrimination on the basis of sex, race, color, national origin, and religion

Title IX of the Education Amendments Act of 1972 Prohibits discrimination based on sex in schools that receive federal funding. It covers sex discrimination, sexual assault, sexual harassment, domestic/dating violence,

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The Genetic Information Nondiscrimination Act

Prohibits discrimination on the basis of health information

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The Age Discrimination in Employment Act

Prohibits discrimination on the basis of age

4 of 9							
The Americans with Disabilities Act	Prohibits discrimination on the basis of disability						
5 of 9							
The Pregnancy Discrimination Act	Prohibits discrimination on the basis of pregnancy						

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The Rehabilitation Act, Section 504

Prohibits discrimination based on disability in any program or activity receiving federal financial assistance

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The Equal Pay Act

Requires equal pay for equal work on the basis of sex

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The Florida Civil Rights Act of 1992

Florida Statute 760 provides similar protections as federal law for race, color, religion, sex, pregnancy, national origin, age, and disability. The state statute provides

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Protected Groups

Protected Groups





A "protected group" or "protected class" refers to a group of people with a common characteristic who are legally protected from discrimination based on that characteristic. FSU is committed to providing employment and academic protections to employees and students based on the following protected classes:

- Race
- Disability
- Creed
- Genetic information

• Color • Veterans' status

• Sex • Marital status

• Religion • Sexual orientation

• National origin • Gender identity

• Age • Gender expression

• Any other legally protected groups

Overview of FSU's EEO Policies

Overview of FSU's EEO Policies



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FSU's EEO Policies

The University has several policies that mirror and expand Federal and State law Equal Employment Opportunity (EEO) protections.

Click on the cards below to reveal information about each policy.

Equal Opportunity Statement

FSU's Equal Opportunity
Statement is signed by the
University's president and
underscores the
University's commitment to
equal opportunity and nondiscrimination in both

FSU's policy prohibits discrimination and

Equal Opportunity, Non-

Discrimination, and Non-Retaliation Policy retaliation in employment and academics. This policy identifies the protected groups at FSU and provides complaint procedures for

Americans with Disabilities Act Policy FSU's ADA Policy provides information regarding equal access and employment reasonable accommodation procedures.

Sex Discrimination and Sexual Misconduct Policy/Title IX Compliance Policy These policies provide expanded information on the protected classes of sex, gender, pregnancy, gender identity, gender expression, and sexual orientation.

More information is

Equal Opportunity Policies

As you are now aware, FSU's equal opportunity policies prohibit adverse treatment against employees and students due to their membership in a protected group. Some examples include:

- Denying employment/educational opportunities
- Taking negative employment/academic action
- Creating a hostile work/academic environment
- Quid pro quo harassment

Quid pro quo translates to "something for something." Quid pro quo workplace or academic harassment refers to situations where authority figures suggest that they will give employees or students something favorable (for example, a raise or a good grade) or will refrain from doing something unfavorable (for example, firing an employee or failing a student on a test) in exchange for a sexual demand.

Zero Tolerance Policy

The University has a zero-tolerance policy for any acts of discrimination, retaliation, or sexual misconduct. FSU has a duty to investigate, as appropriate, any complaints or concerns regarding violations of its EEO policies. FSU has a duty to eliminate inappropriate behavior, address the effects of the behavior, and prevent its recurrence.



The policies are applicable in all programs and activities, both on and off-campus, including, but not limited to: business/academic trips, study abroad programs, office/department parties, and business dinner/lunches. The policies also include non-University activities that have consequences that carry over to the workplace or academic environment.

Examples of Inappropriate Behavior

Some examples of inappropriate behavior that may violate University policy include:

- Mocking the clothes or food of people from different cultures
- Excluding those with different religious beliefs or who have different sexual orientations from work-related activities
- Engaging in "humor" based on stereotyping members of protected groups (including groups in which you yourself are a member)
- Making fun of accents or names

- Refusing to acknowledge the name and pronoun of an employee or student
- Engaging in any form of hate speech
- Intentionally misgendering an employee or student

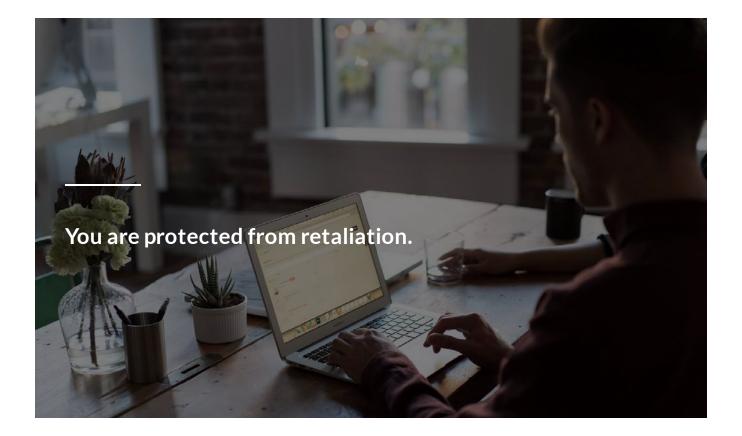


Please contact the FSU Office of Training and Organizational Development for additional training on select FSU policies.

Retaliation

Retaliation





The University wants to ensure that everyone feels they can speak up and get help if needed. Therefore, the University prohibits retaliation against anyone who:

- Makes a complaint (internal/external/lawsuit)
- Helps someone report or fulfills their reporting obligation
- Participates in an investigation as a complainant, respondent (accused), or witness
- Otherwise opposes discrimination

• Requests a reasonable accommodation

Retaliation is:

- Any action that could discourage an individual from filing a complaint
- Any negative employment/academic action because an individual filed a complaint
- Creating a hostile work or academic environment because of a complaint

Retaliatory Actions

Determine whether the following are retaliatory actions. Drag and drop each scenario as appropriate.

Possible Retaliation

Terminating an employee after they filed a discrimination complaint

Denying an employee a promotion after they requested a reasonable accommodation

Threatening to issue a poor performance review to a witness in an investigation

Applying harsher grading standards to a student for filing a misconduct report

Providing negative references after the individual sues the University

Likely Not Retaliation

Issuing a reprimand to an employee for tardiness after they were late 10 times

Issuing a poor grade after a student failed to turn in an assignment

Remember...

Retaliating against an individual simply for making a discrimination or sexual misconduct complaint, or engaging in any other protected activity, violates University policy. This would be a violation even if there were no underlying discrimination.

Additionally, if you are a supervisor, it is critically important to actively monitor the work or academic environment during and after an investigation to ensure that no one is retaliating against any other person involved in the complaint process.

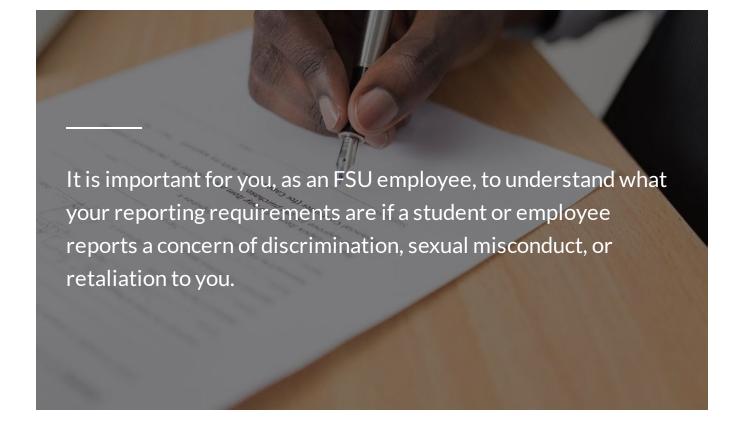
Reporting Requirements

Reporting Requirements



Training and Organizational Development

When Someone Discloses to You



Reporting a Disclosure or Making a Complaint

Please remember that we can all help each other. A student or a co-worker may disclose sensitive personal information or share situations that are making them uncomfortable. They

may not go directly to the Title IX Director or the Equity, Diversity & Inclusion Office to complain. Part of the University's expectations is that everyone creates a space where someone can ask for help. You must know how to report information if someone reaches out to you for help.

Where to Report a Disclosure or Make a Complaint

The University has dedicated employees to address acts of discrimination, sexual misconduct, or retaliation based on your own experience or that of others who disclosed information to you.

If the person accused of the behavior is a **student**, the report/complaint must go to the Student Conduct and Community Standards Department or the Title IX Office. If the person accused of the behavior is an **employee** or **other third party**, the report/complaint needs to go to the Equity, Diversity & Inclusion Office in Human Resources. The most straightforward way to make a report/complaint is to go to <u>report.fsu.edu</u>.

Making a Complaint or Filing a Report

Reports/Complaints against Students

- Online: report.fsu.edu
- Sexual Misconduct Title IX Director: Tricia Buchholz; tbuchholz@fsu.edu; (850) 645–2741
- Other Discrimination: <u>Student Conduct and Community Standards</u>

Reports/Complaints against Faculty, Staff or Third Parties

- Human Resources Equity, Diversity & Inclusion: Amber Wagner; amwagner@fsu.edu; (850) 645–1458
- Human Resources Equity, Diversity & Inclusion: Marcy Valenzuela; <u>mvalenzuela@fsu.edu</u>; (850) 688-2229
- Human Resources Equity, Diversity & Inclusion: Kevin Moore; kmoore7@fsu.edu; (850)644-7703

AFFECTED PARTY

DISCLOSURE

If you are the Affected Party or are filing a complaint on behalf of another, you can:

- Disclose to a person in a position of authority such as your supervisor, the department Chair, Dean, etc., who will then **file a report**
- Disclose directly to the Title IX Director or the Office of Equity, Diversity, and Inclusion

The report may be submitted in person or by telephone to Human Resources.

AFFECTED PARTY

DISCLOSURE

If someone has disclosed to you, you must decide if you are a Responsible Employee and determine your reporting obligation:

- Err on the side of caution and report
- Make the report but do not investigate

Employee Reporting Obligation

The University encourages the reporting of all incidents because we cannot help if we do not know. However, there are times as an employee when you will be required to file a report. You are considered a 'Responsible Employee' with a mandatory reporting obligation if the:

- Affected party is a student
- Affected party is someone you supervise
- Incident involves sexual violence
- Incident involves a minor

The report must be made within two business days. To make a report, you can go to <u>report.fsu.edu</u>, send an email, or make a call. Remember, even if you report the information to others, like FSUPD, your supervisor, or the Victim Advocate Program, you still need to make an official report.

Report Complaints Against Employees

There are several methods that employees and students may use to report concerns of sexual misconduct or discrimination to the University against faculty, staff, or third parties.

Report Type 1

In person/telephone



The report may be submitted in person or by telephone to Human Resources.

Human Resources, Equity, Diversity & Inclusion Office

850-645-6519

Amber Wagner, EDI Compliance Investigator

amwagner@fsu.edu (850) 645-1458

Marcy Valenzuela, EDI Compliance Investigator

mvalenzuela@fsu.edu (850) 688-2229

Kevin Moore, EDI Compliance Investigator

kmoore7@fsu.edu (850) 644-7703

Report Type 2

In writing



The report may be submitted in writing, including a letter, email, or formal complaint form.

<u>Discrimination</u>, <u>Harassment</u>, <u>and/or Retaliation Complaint Form</u>

Report Type 3

FSU Hotline or Online



The report may be submitted online and may be anonymous if preferred:

- <u>report.fsu.edu</u>
- <u>fsu.ethicspoint.com</u> / **855-231-7511**

Review

Employees who are not "Responsible Employees" may report concerns to a supervisor or administrator, who will then make a report as required by University policy.

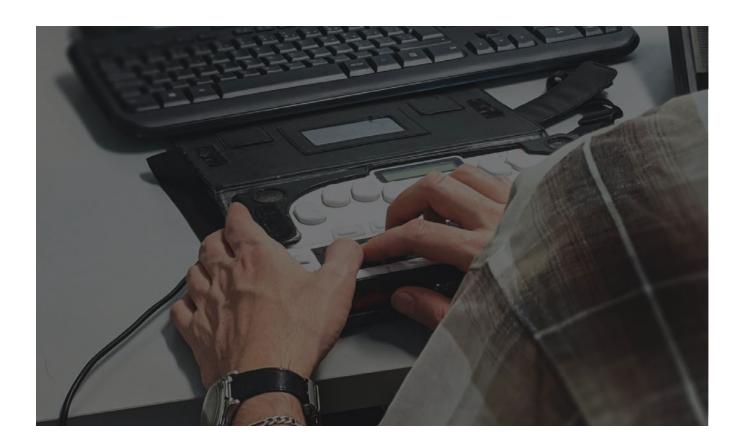
"Responsible Employees" must report a discrimination, sexual misconduct, or retaliation concern within two business days.

If you have any questions about reporting, please reach out to the EDI office or err on the side of caution and submit a report via report.fsu.edu.

Reasonable Accomodations

Reasonable Accomodations





Accommodations

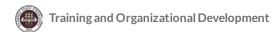
Equal Opportunity in employment and academics is not just about non-discrimination. We also have an affirmative obligation (under the law and our University policies) to provide reasonable accommodations to qualified employees and students based on disability, religion, and pregnancy.

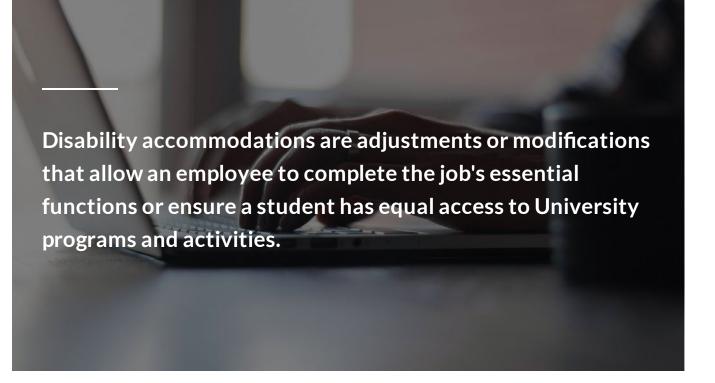
A reasonable accommodation is any change to a job, the work or academic environment, or the way work is typically done so an individual may apply for, perform the job's essential functions, and enjoy equal access to a job or academic benefits.

There are no "magic words" that a student or employee must use to request an accommodation. A mention of a need or request related to a disability must be reported to the University's ADA Coordinator within two business days. Departments may contact the Equity, Diversity, and Inclusion Office for assistance with religious or pregnancy accommodation requests. Students should contact the Office of Accessibility Services for disability-related accommodation requests and their applicable department/professor for requests related to religion and pregnancy.

Disability-Related Accommodations

Disability-Related Accommodations





Accommodations Request

For a disability accommodation to be considered, employees must make their supervisor or the EDI office aware of the need, either verbally or in writing. The supervisor must contact the Equity, Diversity & Inclusion Office's ADA Coordinator within two business days of the request. The Equity, Diversity & Inclusion Office will assist in determining what is and what is not a reasonable disability-related accommodation request.

If you are a supervisor, it is critically important that you **DO NOT** refuse any accommodation request before contacting the EDI office.

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

Students who require accommodations should contact their instructors and/or the University's Office of Accessibility Services for assistance.

There is a great deal of useful information on the subject of the Americans with Disability Act, and we encourage you to attend University training on this topic so that you are well informed of your rights and responsibilities as employees and/or students. You may also refer to the <u>University's Americans with Disabilities Act</u> policy located through the University's Office of Human Resources EDI website.

Disability Accommodation Examples

Accommodations will vary depending on the need of the employee or student. Click on the '+' markers below to review some of the reasonable disability-related accommodations.





Schedule

Modification of a work schedule



Animals

Service animals



AirAir cleaners/purifiers



Software

Purchase of specialized software



Assistance

Provision of readers, scribes, or note takers



LayoutModifying the layout of a workspace or classroom



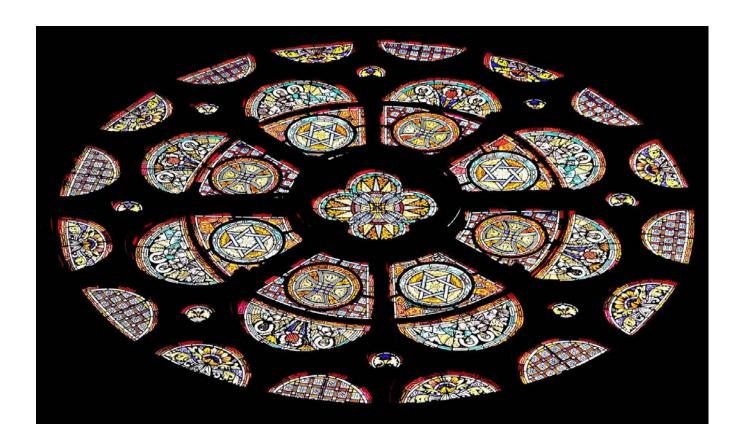
Lighting

Window coverings

Religious Accommodations

Religious Accommodations





Accommodations Request

Religious accommodations are adjustments to the work or academic environments that allow employees or students to practice their religion.

The term "religion" includes all aspects of religious observance and practice and belief and non-belief. For a religious accommodation to be considered, the employee must make the

supervisor or EDI aware of the need. Students must make their instructors aware, either verbally or in writing. If you are presented with a request for a religious accommodation, it is important to discuss the needs of the employee or student and the options available to them respectfully. If, as a supervisor, you are not familiar with the religion the employee or student observes or does not observe, a limited inquiry is appropriate to gather additional information. Still, you must have a reasonable basis to begin a line of questioning.

If you can grant the accommodation, please do. However, please contact the Equity, Diversity, and Inclusion Office if you have any questions or concerns about the accommodation. Please call the EDI office to discuss the determination before advising the employee if you cannot grant the accommodation. You may contact the Department of Student Support and Transitions regarding student requests.

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

Religious Accommodations Examples

Scroll through the examples of religious accommodations below:



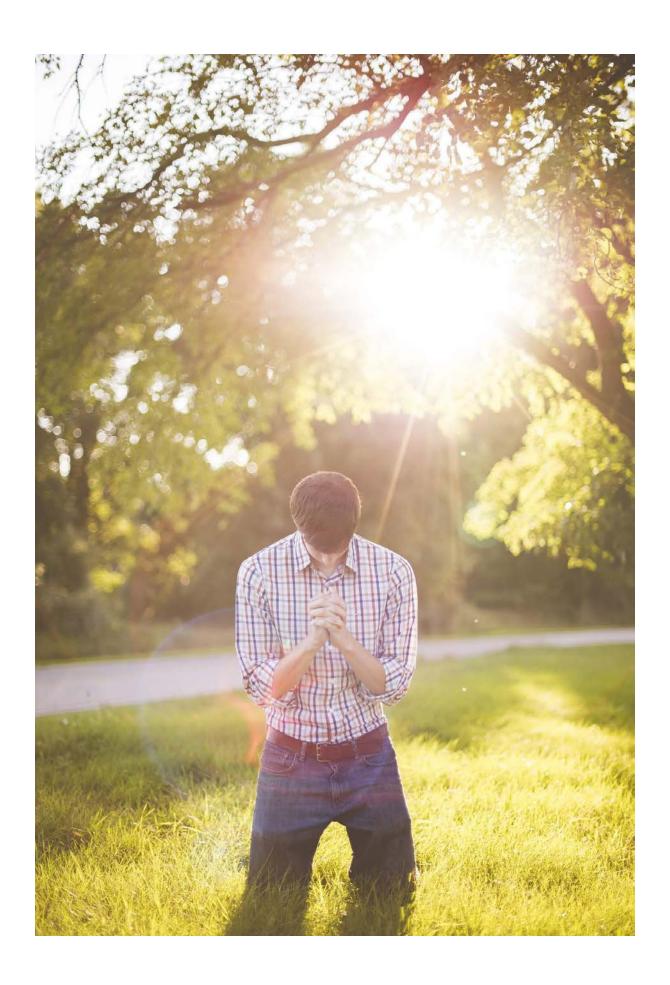
Schedule changes to accommodate the employee's arrival or departure time, use the employee's annual leave, or allow flexible breaks to engage in religious observances.



Allowing for voluntary shift swaps with coworkers or allowing for an alternative test date for students.



Accommodating dress code variances, which may include religious garb and accommodating facial hair.



Providing a space for worship.

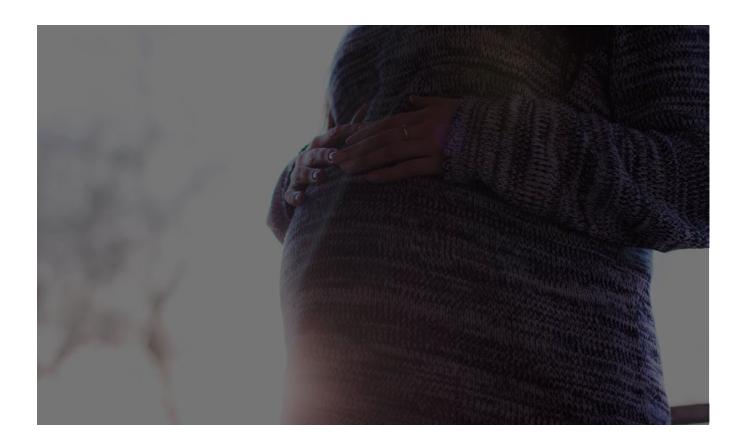


Allowing an employee or student who identifies as an atheist to be excused from the religious invocation offered at the beginning of graduation.

Pregnancy Accommondations

Pregnancy Accommodations





Accommodations Request

Pregnancy accommodations are adjustments at work that allow employees to complete the essential functions of their jobs or allow students equal access to University programs and activities. Pregnancy accommodations apply during pregnancy, post-pregnancy, and lactation periods. Employees should contact their supervisor or EDI to initiate an accommodation request, and students should contact their instructors or the Title IX Office.

If, as a supervisor, you are presented with a request for a pregnancy accommodation and you can grant it, please do so. However, please contact the Equity, Diversity, and Inclusion Office if you have any questions or concerns about the accommodation. If you cannot grant the accommodation, please call the EDI office to discuss the determination before advising the employee. If you are presented with a pregnancy accommodation request from a student and need assistance, don't hesitate to contact the University's Title IX Office.

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

Pregnancy Accommodation Examples

Some examples of pregnancy accommodation requests include:



Requesting a footstool or other furniture at a workstation to enable the employee to elevate her legs.

1 of 3





Requesting to flex work hours to make up time missed for doctor's appointments.

2 of 3



Asking to be allowed to have a beverage/snack in spaces that are otherwise prohibited or requesting frequent breaks to allow for consumption outside of the space.

3 of 3

Nursing Mothers

Break Time for Nursing Mothers

Employees and students who are nursing mothers are entitled to break times in private and secure locations to breastfeed or express milk. This policy mirrors the Fair Labor Standards Act (FLSA). These rights apply to all nursing mothers regardless of whether they are exempt or non-exempt employees. The FSU policy regarding nursing mothers is located on the Human Resources <u>website</u>, and the policy outlines all of the employee's and supervisor's respective obligations.

Lactation rooms for students are available upon request. Additionally, there is a permanent lactation room located within the Health and Wellness Center. For more information, students may contact the <u>Department of Student Support and Transitions</u> or <u>University Health Services</u>. At the Panama City campus, a lactation room is available in the <u>Holley Building</u>.

Employees may work with their supervisor to determine an appropriate space for lactation purposes and break schedules.

Nursing Mothers' Accommodations

Click on the image below to review the policy impacting nursing mothers:



Reasonable break time



1 year after child's birth



Private, non-bathroom location

This concludes the overview of the types of accommodations requests.

Affirmative Action



Commitment to Affirmative Action

In addition to the University's commitment to non-discrimination and non-retaliation, FSU is also 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.

The University's Affirmative Action Plan is available for inspection Monday through Friday from 8:00 a.m. to 5:00 p.m. at the Office of Human Resources in the Equity, Diversity & Inclusion Office (EDI). Copies of the Affirmative Action Plan are also filed with the University Library System, and FSU's Equal Opportunity Statement can be viewed below.



EQUAL OPPORTUNITY AND NON-DISCRIMINATION STATEMENT

Florida State University (University) is an equal opportunity employer and educational provider committed to a policy of non-discrimination for any member of the University's community on the basis of race, creed, color, sex, religion, national origin, age, disability, genetic information, veterans' status, marital status, sexual orientation, gender identity, gender expression, or any other legally protected group status. This policy applies to faculty, staff, students, volunteers, visitors, applicants, and contractors in a manner consistent with applicable laws, regulations, ordinances, orders, and University policies, procedures, and processes.

In pursuing its mission of excellence as a comprehensive, graduate-research university with a liberal arts base, the University strives to create and maintain a harmonious, high performance work and educational environment. Conduct that discriminates, harasses, or intimidates by threat, is contrary to our commitment. Further, workplace behavior that is disruptive to the operations of the University or that impairs workplace discipline interferes with this mission.

It is my expectation that all members of our community are provided equitable opportunities to succeed and enrich the strength, skill, and character of the University. It is also expected that all members of our community will help create a work and educational environment that promotes fairness, respect, and trust, free from discrimination, harassment, or retaliation.

The University will continue to reinforce its commitment of non-discrimination to all groups protected by local, state, and federal law. We will continue to monitor our methods of recruitment, retention, and advancement of qualified faculty, staff, and students and annually examine our affirmative action plan, as prescribed by federal guidelines, to measure whether our campus is reflective of the community we serve.

The University further recognizes that discriminatory or harassing behavior may create an intimidating or hostile environment that interferes with the University's mission. As a result, the University has established internal complaint procedures available to all who believe their experience on any of our campuses has been less than appropriate.

To facilitate university-wide compliance, I have appointed Renisha Gibbs, Associate Vice President for Human Resources/Finance and Administration Chief of Staff to develop, administer, and coordinate university-wide initiatives and complaint investigations. This will be accomplished through collaboration with the Title IX Director; Dean of Students Department; the Office of Faculty Development and Advancement; the Athletics Department; and all University divisions, colleges, and departments.

Questions regarding the above may be directed to your supervisor or Renisha Gibbs at (850) 644-8082 or rgibbs@fsu.edu.

President John Thrasher

Revised 9/20/2019



EEO Clause

As part of FSU's commitment to diversity, FSU's EEO Clause is attached to all job postings, stating that FSU is an Equal Opportunity/Access/Affirmative Action/Pro Disabled and Veteran Employer.

Further information regarding equal opportunity and Affirmative Action is located on the University's Human Resources, <u>Equity, Diversity & Inclusion website</u>.

This training has underscored the important role we all play at the University to ensure that the Equal Opportunity laws and policies are upheld for our employees and students.

If you have any questions regarding equal opportunity and compliance, please do not hesitate to contact the Equity, Diversity & Inclusion office.

Contact Information

Contact Information



Contact Us

Human Resources: Equity, Diversity & Inclusion Office	
Michelle Douglas, Director	mbdouglas@fsu.edu; (850) 644-7950
Amber Wagner, EDI Compliance Investigator & ADA Coordinator	<u>amwagner@fsu.edu;</u> (850) 645-1458
Marcy Valenzuela, EDI Compliance Investigator	<u>mvalenzuela@fsu.edu;</u> (850) 688- 2229
Kevin Moore, EDI Compliance Investigator	<u>kmoore7@fsu.edu;</u> (850) 644-7703

This concludes the training. Thank you for your participation.