



DIVISION OF EQUAL OPPORTUNITY
OFFICE OF INSTITUTIONAL EQUITY & ACCESS

THE DIVISION OF EQUAL OPPORTUNITY

SUPERVISOR RESOURCE GUIDE

CONTACT

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INCLUSION | **BLUEPRINT**

SUPERVISOR RESOURCE GUIDE:
RESPONDING TO HARASSMENT OR
DISCRIMINATION CONCERNS



DID YOU KNOW?

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Pursuant to university policy, every UT Southwestern official, administrator, or supervisor is responsible for promptly reporting to the Division of Equal Opportunity any known or suspected incidents of discrimination, harassment, or retaliation that come to their attention.

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IDENTIFYING WHEN TO REFER TO THE DIVISION OF EQUAL OPPORTUNITY

CONCERNS INVOLVING REAL OR PERCEIVED HARASSMENT, DISCRIMINATION, OR RETALIATION **MUST** BE REPORTED TO THE DIVISION OF EQUAL OPPORTUNITY.

EXAMPLES:

- An employee complains that another department's supervisor often makes "sexist and disparaging" comments in the hallway about women, which makes her feel uncomfortable and undervalued.
- A pregnant employee complains, "It is unfair that I will lose the ability to travel to training conferences because I am over 40 and my supervisor fears that I will be placed on bed rest simply because of my age."
- You overhear employees using racially derogatory language amongst each other or directing "catcalls" to female students walking nearby.
- You hear rumors that a well-respected, tenured colleague regularly makes sarcastic and disparaging comments about staff who need ADA accommodations.
- An employee complains he is tired of being told to not speak Spanish in the workplace because it makes his co-workers feel uncomfortable or excluded from his personal conversations with others.



HOW TO RESPOND TO A REPORTER'S CONCERN:

- Thank you for coming forward and sharing your concerns. UTSW takes all such concerns seriously and wants to ensure no one is subjected to a discriminatory or hostile work environment.
- UTSW has resources and departments dedicated to resolving such issues. I can help put you in contact with them or contact them on your behalf.
- The Division of Equal Opportunity conducts neutral investigations and works to end improper conduct, cure hostile learning/work environments, and develop workplace safeguards. The Employee Assistance Program can also help by serving as a confidential resource for individuals who need support and personal counseling services.

WHEN YOU MUST REPORT:

- ETH 151 - All employees are strongly encouraged to immediately report concerns to the Division of Equal Opportunity. Certain employees (such as officials, administrators, or supervisors) must report concerns of discrimination, harassment, or retaliation to the Division of Equal Opportunity (even if the concern does not involve a direct report).
- Faculty or Supervisor/Student privilege does not exist. Certain employees cannot keep what they know "confidential."
- Failure to timely report a concern potentially exposes UTSW to liability, may preclude legal defenses, and may result in a student not having a serious concern addressed - which may result in future harm to additional students and employees by

SUBMIT REPORTS TO: EQUALOPPORTUNITY@UTSOUTHWESTERN.EDU

If you fail to timely report a claim: (1) Your delay could cause additional harm to the victim or others; (2) you expose the Institution to legal liability.

SUPERVISOR RESOURCE GUIDE:
AMERICANS WITH DISABILITIES ACT &
REASONABLE ACCOMMODATIONS



DID YOU KNOW?

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Nearly 60% of workplace accommodations cost absolutely nothing to make, while the rest typically cost less than \$500.

People with disabilities are the largest minority group in the United States, making up an estimated 20% of the total population.

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-U.S. Department of Labor

AMERICANS WITH DISABILITIES ACT

- UT Southwestern is committed to providing equal opportunities to qualified individuals with disabilities in all areas of the employment relationship, including without limitation application, recruitment, promotion, compensation, benefits, and training.
- The Division of Equal Opportunity helps resolve issues and provides information regarding services and accommodations for employees with disabilities.
- All employees should direct requests for accommodations to the Division of Equal Opportunity.

REASONABLE ACCOMMODATIONS

- The ADA requires employers to provide reasonable accommodations for the known limitations of qualified applicants and employees with disabilities.
- A "reasonable accommodation" is any modification or adjustment to a job, an employment practice, or the work environment that enables an individual with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by similarly situated individuals without disabilities.
- Accommodations vary depending upon the needs of the individual applicant or employee. Not all people with disabilities (or even people with the same disability) will need the same accommodation.



DEFINITION OF “DISABILITY” OR “DISABLED”

- An individual who has a physical or mental impairment that substantially limits one or more major life activities, who has a record of such substantially limiting impairment, or who is regarded as having such substantially limiting impairment.
- Examples of major life activities include seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, concentrating, and working.

WHAT DO YOU DO WHEN AN EMPLOYEE INFORMS YOU OF A POSSIBLE ADA DISABILITY?

- The Division of Equal Opportunity determines eligibility and implements accommodations for all employees and applicants for employment at UT Southwestern.
- Employees that request accommodations from their supervisors should be referred in writing to speak directly with the Division of Equal Opportunity.
- Supervisors should also independently notify the Division of Equal Opportunity of the accommodation request.
- Once the request for accommodation has been made, the Division of Equal Opportunity will engage in an interactive process with the employee, the employee’s unit, and the employee’s medical provider to identify possible accommodations.

NEED TO KNOW

- The law places strict limits on employers when it comes to asking job applicants to answer medical questions, take a medical exam, or identify a disability. For example, an employer may not ask a job applicant if they have a disability or about the nature of an obvious disability.

DISABILITY DISCRIMINATION & HARASSMENT

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RESOURCES:

- ***If you are an employee with a disability:*** Qualified individuals with disabilities may seek reasonable accommodations from the Division of Equal Opportunity.
- ***If you are a supervisor:*** Requests for information or assistance regarding your responsibility as a supervisor to make a reasonable accommodation for an employee or applicant should be addressed to Division of Equal Opportunity.
- ***If you are a student with a disability:*** You may request an accommodation in accordance with *EDU-103 Learners with Disabilities*.
- ***If you are a resident or applicant for acceptance in any UTSW training program:*** You may request an accommodation due to disability by contacting the Program Director and the Office of Graduate Medical Education.

