

## INAPPROPRIATE BEHAVIORS

**Discrimination** - is the unfavorable/unfair treatment of a person(s) or retaliation for complaints related to discrimination based on differences, including race, creed, color, age, sex, national origin, nationality, ethnicity, religion, sexual orientation, gender identity/expression, marital status or status as a state registered domestic partner, pregnancy, disability, veteran's status, genetic information, use of a trained guide dog or service animal by a person with a disability, and all other differences, including differing philosophies.

The following examples of discrimination are not exhaustive, but illustrate the varied situations, comments, and actions that are considered inappropriate behavior:

- Improperly screening candidates for employment
- Denying training or development opportunities
- Basing employment decisions on perceived differences (e.g., hair style, skin color)
- Failure/refusal to provide reasonable accommodations (e.g., denying the use of a service animal, denying leave benefits for pregnancy/breastfeeding)

**Harassment** - is verbal, nonverbal, or physical conduct that threatens, intimidates, coerces, offends, or taunts another person(s), interfering with work performance. The following are considered examples of harassment:

- Sending/posting unwelcome/unwanted messages
- Offensive pictures/cartoons or other materials
- Derogatory comments/slurs or inappropriate joking/innuendoes
- Leering looks
- Double meanings to statements (e.g., "If you'd like to spend some time with me, I'll teach you how it's done.")
- Arm around the shoulder and/or waist

**Sexual harassment** - is unwelcome/unwanted conduct of a sexual nature and is based on the impact to the victim and not the intent of the perpetrator. There are two types of sexual harassment:

- Quid pro quo sexual harassment involves demands for sexual conduct in exchange for favorable, or to avoid unfavorable, employment decisions, including:
  - Threats of demotion or termination if the person fails to engage in sexual conduct with the perpetrator
  - Conduct that is a term or condition of employment, or basis for employment decisions
  - Promises/offers of employment advancements or other benefit(s) in exchange for sexual conduct

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- Hostile work environment sexual harassment involves pervasive/severe, unwelcome/unwanted conduct of a sexual nature, including:
  - Assault
  - Physical contact/intimidation (e.g., touching, pinching, cornering)
  - Verbal abuse (e.g., propositions, lewd comments, sexual insults, gender-based comments)
  - Visual abuse (e.g., leering, displaying pornographic material designed to embarrass or intimidate)
  - Offering gifts after previously rejecting sexual attention, including requests for dates or social activities

**Retaliation** - is an adverse action taken against a person because of that person's engagement in a legally protected activity. The following are considered examples of retaliation:

- Reprimanding or giving an unfair performance evaluation
- Transferring a person to a less desirable position, work location, or shift
- Threats or physical/verbal abuse
- Increased scrutiny or initiating an investigation without cause
- Refusing to communicate or spreading rumors
- Adjusting work schedule or denying leave use
- Demoting, firing, or taking adverse action that affects the terms/conditions of employment
- Not inviting a person to work-related meetings/events
- Hostile interactions after a complaint is filed