Equal Employment Opportunity
Annual Compliance Training
By the end of this lesson, you should be able to:

- Recognize UTHHealth’s policy against discrimination and harassment.
- Identify classifications warranting protection.
- Recall when and how to:
  - Report discrimination and harassment
  - Request a reasonable accommodation(s)
UTHealth’s EEO Statement

The University of Texas Health Science Center (“UT Health”) is an equal opportunity and affirmative action employer. UTHealth prohibits discrimination against any applicant or employee based on race, color, religion, national origin, sex, age, sexual orientation, mental or physical disability, genetic information, veteran’s status or any other basis protected by applicable law. UTHealth also prohibits harassment of applicants or employees based on any of these protected categories or any other basis protected by applicable law.

Questions or complaints related to this policy should be directed to:

Human Resources-Equal Opportunity
7000 Fannin, Suite 150
Houston, TX 77030-5401
Tel: 713.500.3079
UTHealth prohibits discrimination and/or harassment by any member of the university community on the basis of:

- MENTAL OR PHYSICAL DISABILITY
- GENETIC INFORMATION
- VETERAN’S STATUS
- ANY BASIS

Click here to review HOOP 183
Protected Classifications

Due to federal laws, state laws and university policies, certain classifications have been designated as protected classifications.

- Race / Color
- Sexual Orientation
- Religion
- Mental / Physical Disability
- National Origin
- Genetic Information
- Sex / Gender
- Veteran’s Status
- Age
Protected Classifications

Race / Color Discrimination

- Involves treating an applicant or employee unfavorably because he/she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features).
- Color Discrimination involves treating an applicant or employee unfavorably because of skin color complexion.

Race / Color Discrimination

- Also can involve treating an applicant or employee unfavorably because the person is:
  - Married to (or associated with) a person of a certain race or color.
  - Connected to a race-based organization or group.
  - Connected to an organization or group that is generally associated with people of a certain color.
Protected Classifications

Religious Discrimination

- Involves treating an applicant or employee unfavorably because of his or her religious beliefs.
- The law protects people who belong to traditional, organized religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism AND others who have sincerely held religious, ethical or moral beliefs.

Religious Discrimination

- Can also involve treating an applicant or employee differently because he or she is:
  - Married to (or associated with) an individual of a particular religion.
  - Connected with a religious organization or group.
Protected Classifications

Religious Accommodation

- An employer must reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause more than minimum burden on the operations of the employer's business.
- An employer may be required to make reasonable adjustments to the work environment that will allow an employee to practice his or her religion.

Religious Accommodation

- An employer does not have to accommodate an employee's religious beliefs or practices if doing so would cause undue hardship to the employer.
Protected Classifications

**National Origin Discrimination**

- Involves treating applicants or employees unfavorably because they:
  - Are from a particular country or part of the world, because of ethnicity or accent.
  - Appear to be of a certain ethnic background (even if they are not).

**National Origin Discrimination**

- Can also involve treating people unfavorably because they are:
  - Married to (or associated with) a person of a certain national origin.
  - They are connected with an ethnic organization or group.
Protected Classifications

Sex Discrimination

- Involves treating applicants or employees unfavorably because that person’s sex.

**NOTE:**
- Discrimination against an individual because that person is transgender, or because of his/her sexual orientation, may be sex discrimination because of that person’s non-conformance with sex-stereotypes.

Sex Discrimination

- Sex Stereotyping can be discrimination because of sex.
- Discrimination because of pregnancy, childbirth, or a pregnancy related condition can also be discrimination because of sex.
- Sexual Harassment is also a form of sex discrimination.
Protected Classifications

Age Discrimination

Involved treating applicants or employees unfavorably because they are over forty years of age.
Protected Classifications

**Disability Discrimination**
- Occurs when an employer treats a qualified individual with a disability who is an employee or applicant unfavorably because he or she has a disability.

**Disability Discrimination**
- Also occurs when a covered employer or other entity treats an applicant or employee less favorably because she has a history of a disability (such as cancer that is controlled or in remission) or because she is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if she does not have such an impairment).
Protected Classifications

Genetic Information Discrimination

- Or harassment based on your genetic information is forbidden.

NOTE:
- With limited exceptions, employers are prohibited from requesting, requiring, or purchasing genetic information (e.g., information about an individual's genetic tests, genetic tests of a family member, or family medical history) about job applicants and employees or their family members at any time.

Genetic Information

- If for some reason this information is disclosed to an employer, employers are not permitted to share this information and must keep it confidential.
Protected Classifications

Veteran & Military Discrimination

- Or harassment due to an individual’s military and/or veterans status is prohibited.
- Against members of the military who are serving in reserve units based upon their military commitments is prohibited.

NOTE:
- Service members are protected from being fired based on military deployment commitments.

Veteran’s Preference

- Is encouraged at UTHealth.

NOTE:
- For example in the hiring context: this means when you have two otherwise equally qualified applicants and one is a veteran and the other is not, you should select the applicant who is a veteran to be hired for the job.
Discrimination, including harassment, is defined as:

**Point 1**
Conduct directed at a specific individual or a group of individuals that

**Point 2**
Subjects the individual or group to treatment that

**Point 3**
Adversely affects their employment because of a protected classification

Click here to review HOOP 183
Discrimination must affect an aspect of employment to be actionable including:

- Hiring
- Pay
- Promotions
- Training
- Other terms or condition of employment
- Firing
- Job Assignments
- Layoff
- Fringe Benefits
Verbal Conduct:
For example, epithets, offensive or derogatory comments, slurs, or unwanted sexual advances, invitations or comments.
Physical Conduct:
Such as unwanted touching for example, shoulder rubs or blocking normal movement such as brushing up against a person.
Visual Conduct:
Like derogatory posters, photography, cartoons, drawings or gestures.
HOOP 183 Harassment Examples

- **Verbal Conduct:**
  
- **Physical Conduct:**
  
- **Visual Conduct:**

**Threats and demands:**
To submit to sexual requests in order to keep your employment or to gain some benefit like a raise, a promotion, or to avoid a negative consequence like a poor performance review.
Reporting Obligations

**Supervisors** who receive a complaint of discrimination or harassment **must** report it to:

Human Resources-Equal Opportunity

**Employees** who want to make a complaint of discrimination or harassment can report it to:

- Their Supervisor
- Another Supervisor
- Human Resources-Equal Opportunity
- Office of Institutional Compliance

Equal Opportunity Advisor
Human Resources-Equal Opportunity
713.500.3079

Click here to review HOOP 183
Whom Do I Contact?

If you feel you have been discriminated against, harassed, or have any questions, contact the Equal Opportunity Advisor:

713.500.3079

If you want to report your concerns anonymously, contact the Compliance Hotline:

1.888.472.9868

https://www.tnwgrc.com/WebReport/

If you want to file a Web Report:
In most cases:
Specific forms need to be completed by the employee requesting the accommodation and his/her medical provider for the request to be considered.

UTHealth is committed to:
Providing equal opportunities for qualified employees and job applicants in accordance with applicable laws.

Employees may request:
Reasonable accommodations be provided to enable him/her to perform essential functions of his or her job.

Requests can be made by:
Contacting Human Resources-Equal Opportunity and speaking with the Disability Coordinator.

Disability Coordinator
Human Resources-Equal Opportunity
713.500.3079
An employer should provide a reasonable accommodation to an employee or job applicant with a disability, unless doing so would cause significant difficulty or expense for the employer (“undue hardship”).

Disability Coordinator
Human Resources-Equal Opportunity
713.500.3079
Click here to review HOOP 101
The Human Resources Equal Opportunity Advisor:
- Investigates complaints of discrimination or harassment.
- Answers questions regarding disability accommodations.

If you have any questions or concerns regarding discrimination, harassment or disability accommodations, please contact the Human Resources – Equal Opportunity office.

(713) 500-3079