

## Who May File?

Any Department of Education employee or applicant for employment who believes she or he may have been a victim of sexual harassment with regard to the terms and conditions of employment may file a complaint. Additionally, students or parents of students may file a complaint.

## NYC DEPARTMENT OF EDUCATION POLICY

It is the policy of the New York City Department of Education to provide educational and employment opportunities without regard to **Race, Color, Religion, Creed, Ethnicity, National Origin, Alienage, Citizenship Status, Age, Marital Status, Partnership Status, Disability, Sexual Orientation, Gender (Sex), Military Status, Prior Record of Arrest or Conviction (Except as Permitted by Law), Predisposing Genetic Characteristics, or Status as a Victim of Domestic Violence, Sexual Offenses and Stalking, and to Maintain an Environment Free of Harassment on any of the above-noted grounds, including Sexual Harassment or Retaliation.** This policy is in accordance with federal, state and city laws. Any employee or applicant for employment who believes he or she has been discriminated against should contact the Office of Equal Opportunity.

## EXTERNAL AGENCIES

### **N.Y.C. COMMISSION ON HUMAN RIGHTS**

40 Rector Street, 9<sup>th</sup> Floor  
New York, New York 10006  
**(212) 306-5070**

### **NEW YORK STATE DIVISION OF HUMAN RIGHTS**

1 Fordham Plaza - 4th Floor  
Bronx, New York 10458  
**(718) 741-8400**

### **U. S. DEPARTMENT OF EDUCATION**

**Office for Civil Rights**  
32 Old Slip, 26th Floor  
New York, NY 10005  
**(646) 428-3900**

### **U.S. DEPARTMENT OF LABOR**

New York District Office  
ESA – Office of Federal Contract Compliance  
Programs (OFCCP)  
26 Federal Plaza, Room 36-116  
New York, NY 10278  
**(212) 264-7743**

### **U. S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

New York District Office  
33 Whitehall Street, 5th Floor  
New York, New York 10004  
**(212) 336-3620**



# **Sexual Harassment: No Place in the Workplace**

## **OFFICE OF EQUAL OPPORTUNITY (OEO)**

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<http://schools.nyc.gov/oeo>

## The Law

Sexual harassment is a form of sex discrimination. It is a violation of Section 703 of Title VII of the Federal Civil Rights Act of 1964, as well as State and City laws. Sexual harassment is also a violation of the New York City Department of Education's Non-Discrimination Policy.

### What is it?

Sexual harassment in the workplace involves any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that is offensive and objectionable to the recipient.

### **Examples Include:**

- Requests for sexual favors
- Telling sexually suggestive jokes
- Unwanted touching, patting or pinching
- Display of sexual/suggestive pictures
- Using crude and/or sexually offensive language

## Forms of Sexual Harassment

There are two types of sexual harassment:

### **Quid Pro Quo**

Submission to the offensive conduct is made (either explicitly or implicitly) a term or condition of an individual's employment;

Submission to or rejection of the offensive conduct is used as a basis for employment decisions;

### **Hostile Work Environment**

The offensive conduct interferes with an individual's work performance or creates an intimidating or hostile work environment

## What Can You Do?

If you are harassing someone **STOP**. Remember it is against the law and if you are found guilty of harassment, you could face disciplinary action.

If you are unsure if your behavior is offensive to someone else **ASK THEM**

If you are a victim of sexual harassment:

**KEEP** a written record of each instance of harassment. Also save any offensive letters, notes or memos received from the harasser.

**DISCUSS** the problem with the harasser, explaining your discomfort with his or her conduct and requesting that the harasser discontinue the offensive behavior.

**NOTIFY** your supervisor or someone in authority and contact the Office of Equal Opportunity (OEO).

**FILE** a complaint; it's your right. It is also illegal to retaliate against you for filing a complaint or against anyone who has testified or assisted in the investigation. Chancellor's Regulation A-830 details the procedure for filing an internal complaint with the DOE.