

# Appendices

**PROTECTED CATEGORIES OF PERSONS REQUIRING EQUAL OPPORTUNITY  
AND  
AFFIRMATIVE ACTION EFFORTS**

- **Native American/Alaskan Native.** Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- **Asian/Pacific Islander.** Persons having origins in the Far East, Southeast Asia, the Indian subcontinent or Pacific Islands. These areas include, China, Japan, Korea, the Philippine Islands, Samoa, India, Pakistan, Bangladesh, Sri Lanka, Sikkim, and Bhutan.
- **Black, not of Hispanic Origin.** Persons having origins in any of the Black racial groups in Africa.
- **Hispanic.** All persons of Mexican, Puerto Rican, Cuban, Central American, South American, or other Spanish culture or origin, regardless of race. Persons who may have adopted the Spanish culture but are not otherwise of Spanish origin are to be treated according to their racial identity.
- **Women.** Women in underrepresented categories based on their relevant recruitment area.
- **Disabled.** A person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. "Life activities" are defined as those which affect employability. "Substantially limits" means the degree that the impairment affects employability.
- **Vietnam-era Veteran.** A person who: (A) served on active duty for a period of more than 180 days, and was discharged or released there from with other than a dishonorable discharge, if any part of such active duty occurred: (i) in the Republic of Vietnam between February 28, 1961 and May 7, 1975; or (ii) between August 5, 1964 and May 7, 1975, in all other cases; or (B) was discharged or released from active duty for a service-connected disability if any part of such active duty was performed (i) in the Republic of Vietnam between February 28, 1961 and May 7, 1975; or (ii) between August 5, 1964 and May 7, 1975 in all other cases.
- **Special Disabled Veteran.** (1) a veteran who is entitled to compensation under the laws administered by the Veterans Administration for a disability (a) rated at 30% or more, or (b) rated at 10% or 20% in the case of a veteran who has been determined under 38 U.S.C. § 1506 to have a serious employment handicap, or (2) a person who was discharged or released from active duty because of a service-connected disability.
- **Newly Separated Veterans.** Any veteran who served on active duty in the U.S. military, ground, naval or air service during the one-year period beginning on the date of such veteran's discharge or release from active duty.
- **Other Disabled Veteran.** A disabled veteran who does not fall in the special disabled category. Any veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized.
- **Persons Age 40 and above.** (Equal Employment Opportunity only).
- **Gay, Lesbian & Bisexual.** (Equal Employment Opportunity only).

*Note: Information regarding membership in protected categories is based on voluntary, self-disclosed information.*

**Appendix B**  
**EEO-6 Job Categories and University Job Groups**  
*Specific to UMass Dartmouth*  
3/31/06

**EEO-6 Category 1**

**EXECUTIVE/ADMINISTRATIVE/  
MANAGERIAL (EAM)**

**EAM-A**

Chancellor  
Provost  
Vice Chancellor

**EAM-B**

Dean  
Major Division Head

**EAM-C**

Associate Dean  
Assistant Dean  
Assistant Chancellor  
Executive Level Administrator

**EAM-D**

Major Department Head

**EEO-6 Category 2**

**FACULTY**

**Faculty Tenured**

Professor  
Associate Professor  
Assistant Professor  
Chancellor Professor

**Faculty Non-Tenured**

Associate Professor  
Assistant Professor  
Lecturer  
Visiting Lecturer

**EEO-6 Category 3**

**PROFESSIONAL NON-FACULTY**

**Administrative**

AA/EO, Auditors, Budget, Controllers,  
Fiscal Management, Grants/Contracts,  
Human Resources, Program Administrators,  
Purchasing, Retail Managers, Staff Assistant,  
Athletic Coaches, Counselors, Child Care,  
Placement, Residential Education, Special Services,  
Trainers

**Institutional Relations**

Graphic Designer  
Project Manager

**Library Sciences**

Librarian  
Associate Librarian  
Assistant Librarian

**Research/Post-Doctorates**

Postdoctoral Research Associate  
Research Assistant  
Senior Research Associate/Assistant

**Technical Professionals**

Analysts, Architects, Computer Programmers, DPC,  
Engineers, Fine Arts Center Operations, Laboratory,  
Operators, Technicians, Project Leaders

**Professionals Not Otherwise Specified**

Staff Assistant  
Staff Associate  
Nurses  
Coordinators

**EEO-6 Category 4**

**SECRETARIAL/CLERICAL**

**Administrative Support**

Administrative Assistant/Secretary I, II  
Telephone Operator II, Clerk IV-V,  
Reproductive Services Supervisor, Storekeeper IV

**Secretaries, Clerks, Typists**

Clerical Assistant, Clerk I-III  
Stenographer I, II

**Data Entry**

Bookkeeper I  
EDP Entry Operator I-III  
Typist I-II

**Financial Records**

Accountant I-II  
Bookkeeper I-II

**Duplicating, Mail**

Telephone Operator I  
Mail Clerk II-III

**Library**

Library Assistant I-III  
Librarian I

**EEO-6 Category 5**  
**TECHNICAL/PARAPROFESSIONAL**

**Stores**

Storekeeper II- IV

**Professional Technician**

Professional Technician I-III  
Undersea Systems Engineer

**Technical Paraprofessional**

Senior Fellow, Associate Fellow, Network  
Specialists, Technical Associate, Machinist & Model  
Maker, Technical Assistant III, Photographer,  
Buyer I, Audio Visual Equip Tech, Personnel Analyst

**Computer Paraprofessional**

Computer Operator, EDP Systems Analyst I –III,  
EDP Computer Operations Supervisor

**Protective Services**

University Police Officer  
University Police Sergeant  
University Police Lieutenant

**EEO-6 Category 6**  
**SKILLED CRAFTS**

**Supervisory Mechanics**

Motor Equipment Mechanic III , Heating, Vent, Air  
Cond & Repair, HVAC Mechanic II  
Carpenter II , Painter II, Electrician II  
Plumber Steamfitter II

**Non-Supervisory Trades**

Tradesworker, Recreation Facilities Supervisor  
Carpenter I, Painter I, Maintenance Specialist I  
Electrician I, Maintenance Working Foreman,  
Plumber and Steamfitter I

**Plant and Systems Operation**

Steam Fireman I, Power Plant Engineer,  
Maintenance Foreman, Maintainer II

**EEO-7 Category 7**

**SERVICE/MAINTENANCE**

**Cleaning and Building Service**

Maintainer I-III, Skilled Laborer  
Maintenance Equipment Operator

**Institutional Protection**

Institutional Security Officer I

**DOC. T96-136, as amended**

**Passed by the BoT**

**12/4/96**

## **PRINCIPLES OF EMPLOYEE CONDUCT UNIVERSITY OF MASSACHUSETTS**

Institutions of higher education are entrusted with great resources and commensurably great responsibilities. They must meet their mission of research, teaching, and service in ways that truly enrich the society that supports them and truly serve the students, parents, and alumni who in joining the university community become life-long members of the extended university learning family. College and university leaders play a key role in assuring that high standards of ethical practice attend to the delivery of services to their various constituents and to the custody and use by all their faculty, staff and students of the resources entrusted to them. The University of Massachusetts embraces the values expressed in these Principles of Employee Conduct and expects their observance by all its employees.

University employees are entrusted with public resources and are expected to understand their responsibilities with respect to conflicts of interest and to behave in ways consistent both with law and with University policy.

University employees are expected to be competent and to strive to advance competence both in themselves and in others.

The conduct of University employees is expected to be characterized by integrity and dignity, and they should expect and encourage such conduct by others.

University employees are expected to be honest and conduct themselves in ways that accord respect to themselves and others.

University employees are expected to accept full responsibility for their actions and to strive to serve others and accord fair and just treatment to all.

University employees are expected to conduct themselves in ways that foster forthright expression of opinion and tolerance for the view of others.

University employees are expected to be aware of and understand those institutional objectives and policies relevant to their job responsibilities, be capable of appropriately interpreting them within and beyond the institution, and contribute constructively to their ongoing evaluation and reformulation.

The University is responsible for communicating to University employees the content of these Principles of Employee Conduct and for ensuring that the standards of conduct contained herein are met.

The University expects to provide its employees:

a work environment that is professional and supportive;

a clear sense of the duties of their job, the procedures for performance review, and access to relevant University policies and procedures;

within the scope of each employee's assigned areas of authority and responsibility, the duty to exercise appropriate judgment and initiative in performing duties;

the right to seek appropriate review of matters that violate the ethical principles contained in these Principles.

## **EQUAL OPPORTUNITY AND ANTI-HARASSMENT COMPLAINT PROCEDURES** **UNIVERSITY OF MASSACHUSETTS DARTMOUTH**

### *Section I – University Policy and Campus Responsibility*

These procedures are designed to implement the University's policies which require equal opportunity for all members of the University community and prohibit harassment of any member of the University community. Pursuant to Board of Trustees policies (Doc. T92-034 and T92-037), the University is committed to enforcing the requirements of applicable federal and state laws, including but not limited to Title VII of the Civil Rights Act of 1964 and Chapter 151B of the Massachusetts General Laws.

Furthermore, it is the policy of the University of Massachusetts to promote a University community that is free of harassment of any type, including sexual harassment. Harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as sex, race, color, national origin, religion, age, disability, veteran status and/or sexual orientation. The University will not tolerate harassing conduct that affects employment or educational conditions, that interferes unreasonably with an individual's school or work performance, or that creates an intimidating, hostile, or offensive work or school environment.

Harassment of employees or students occurring on campus, in connection with work-related travel, and/or University sponsored events will not be tolerated. Further, retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

The University takes allegations of harassment or violation of equal opportunity seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, the University will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline. Each campus is responsible for disseminating and enforcing the policy and procedures so that each member of the University community is aware of the policy and held responsible for his/her behavior.

### *Section II – Definitions*

#### Equal Opportunity

Equal opportunity means the right to enjoy equal opportunity in employment, admission to, and participation in the University's programs and activities, the provision of University services, and the selection of vendors who provide services or products to the University, without regard to an individual's race, color, religion, sex, age, sexual orientation, national origin, disability, or veteran status.

#### Harassment

“Harassment” means unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
2. Verbal abuse or insults about, directed at, or made in the presence of an individual or group as previously described.

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic work;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working or academic environment.

Under these definitions, direct or implied requests by a faculty member, supervisor or other individual in a position of work or school authority for sexual favors in exchange for actual or promised job or school benefits such as favorable reviews, salary increases, promotions, increased benefits, continued employment, better grades, recommendations or other advantages constitutes sexual harassment.

The definition of sexual harassment is broad. In addition to the above examples, other unwelcome sexually oriented conduct, whether intended or not, that has the effect of creating a school or work environment that is hostile, offensive, intimidating or humiliating to either male or female students or employees also may constitute sexual harassment. Such conduct may include but is not limited to sexual epithets, jokes, comments, inquiries or gossip regarding one’s sex life or sexual activity; displaying sexually suggestive objects, pictures or cartoons; and unwelcome leering, whistling, or brushing against the body or sexual gestures.

Unwelcome conduct may be considered harassment or sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness.

### Retaliation

An individual who has engaged in a protected activity is protected against retaliation. A protected activity consists of the following: 1) opposing a practice made unlawful by one of the employment discrimination statutes; or 2) filing a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the applicable statute.

## **Section III – Complaint Procedures**

### **A. Responsible Persons and Covered Individuals**

1. All members of the University community share responsibility for avoiding, discouraging and reporting any form of harassment or discrimination. The primary responsibility for ensuring that a proper investigation and resolution of discrimination or harassment complaints rests with the Assistant Chancellor for Equal Opportunity, Diversity, and Outreach (hereinafter,

Assistant Chancellor/EO) or designee, who will administer the policy and procedures described herein.

- a. The Assistant Chancellor/EO or designee will receive complaints, advise complainants and respondents about the University's procedures and options for responding to complaints, conduct investigations, and determine its findings.
  - b. The Vice Chancellors, Associate Chancellors, and Assistant Chancellors (hereinafter, Vice/Associate/Assistant Chancellors), working with the Assistant Chancellor/EO or designee, will see that all supervisors on the Dartmouth campus receive information and training concerning discrimination and harassment and understand the responsibilities of supervisors when complaints are received. In addition, the Vice/Associate/Assistant Chancellors have other responsibilities as described herein.
2. These procedures are available to any member of the University community who believes that he or she has been discriminated against or harassed. In addition, applicants; visitors; guest lecturers; contractors, their agents and employees may use these procedures where applicable to bring complaints against members of the University community whom they believe have engaged in discrimination or harassment in the course of the educational, work or other official activities of the University, such as sporting events or lectures. Members of the University community consist exclusively of students, faculty, and other full and part-time employees of the University of Massachusetts Dartmouth. These procedures are available regardless of whether the person alleging discrimination or harassment (the "complainant") has filed a complaint with any outside agency or court.
  3. The Vice Chancellor for Student Affairs will be notified whenever the person accused of discrimination or harassment (the "respondent") is an undergraduate student. If the respondent is a graduate student, the Vice Chancellor for Academic Affairs/Director of the Graduate School will be notified. Whenever the respondent is an undergraduate or graduate student, the University reserves the right, in the sole discretion of the Assistant Chancellor/EO or designee (but in consultation with the complainant), to follow the investigation and hearing procedures described in the Student Code of Conduct and Student Judicial Code instead of and in lieu of these procedures.
  4. Those found to be in violation of the University of Massachusetts' discrimination or harassment policy will be subject to disciplinary sanctions. Disciplinary sanctions shall be based on the nature and severity of the offense as well as any record of prior disciplinary action imposed on the respondent. In general, sanctions may include, but are not limited to, one or more of the following: public apologies, public reprimands, written warnings, letters of reprimand, attendance at appropriate workshops, and, in the case of employees, suspension, denial of merit pay for a specified period of time, involuntary demotion, removal from administrative or supervisory duties, and/or termination of employment. Students may also be issued oral reprimands, put on disciplinary probation, suspended from the residence halls and/or the University for a stated period of time, and/or expelled from the residence halls and/or the University. In investigating complaints under this procedure, the University may impose discipline for inappropriate conduct without regard to whether the conduct constitutes a violation of the law and may take corrective action even if the conduct does not rise to the level of violating the University's equal opportunity and anti-harassment policies.

## B. Initiating Complaints

- 1 . Prompt reporting of discrimination or harassment is in the best interest of the entire University community and is essential to a fair, timely and thorough investigation. Accordingly, all complaints must be filed within 180 calendar days of the action that prompts a complaint.
2. Notwithstanding any provision of this policy, the University reserves the right to investigate and take action on its own initiative in response to behavior and conduct which may constitute discrimination or harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed.
3. Attorneys are not permitted to be present or participate in the complaint procedures.
4. Initiating the Process:

In order to initiate a proceeding under this policy, the aggrieved individual(s) must first file an oral or written complaint with the Assistant Chancellor/EO or designee. The complainant initiates a filing process by meeting with the Assistant Chancellor/EO or designee who will explain the complaint procedures. When initiating the complaint process, the complainant should provide the following information:

- i. all relevant facts, including the date(s) of the occurrence(s), the identity of all parties, the location(s) and circumstances of the behavior at issue, and any other information the complainant feels is relevant;
- ii. the specific nature of the discrimination or harassment involved in the complaint;
- iii. other individuals who might be aware of or have knowledge of the situation;
- iv. what actions, if any, the complainant has taken as a result of the incident(s); and
- v. what remedy or relief is being sought (although the imposition of any particular remedy is in the discretion of the University).

### **C. Complaint Investigation**

1. After the complainant has provided the appropriate information, the Assistant Chancellor/EO or designee will conduct an investigation as appropriate to determine whether there has been a violation of the University's policy. All individuals (i.e., employees, students, contractors, visitors) are expected to fully cooperate in the procedure. An unwillingness to cooperate by an individual may result in a sanction(s). The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. When the Assistant Chancellor/EO or designee has completed the investigation he/she will, to the extent appropriate, inform the person filing the complaint and the respondent of the results of that investigation.
2. If the Assistant Chancellor/EO or designee determines that inappropriate conduct has occurred, he/she will recommend corrective action to the appropriate Vice/Associate/Assistant Chancellor in the case of a student, or to the individual's supervisor and the Vice/Associate/Assistant Chancellor responsible for the appropriate work unit in the case of an employee. Disciplinary or other action will be approved by the appropriate Vice Chancellor consistent with Section III, (A) (4) of the Equal Opportunity and Anti-Harassment Complaint Procedures.

3. Any individual who is aggrieved by disciplinary action imposed as a result of an investigation may, within ten working days of the imposition of the action, file a written appeal to the Chancellor. The Chancellor or designee will review the results of the Assistant Chancellor/EO or designee's investigation, the decision of the Vice/Associate/Assistant Chancellor, and the discipline imposed and will make a final decision regarding the discipline. Nothing in these procedures is intended to interfere with the right of any member of the University community to utilize other applicable grievance or appeal procedures following the imposition of corrective action.
4. Not all discrimination or harassment complaints require a detailed investigation process. Some complainants may wish to explore informal alternatives, which may involve, but are not limited to, one or more of the following:
  - a. The Assistant Chancellor/EO or designee may counsel the complainant concerning options for responding to the problem on his/her own initiative, for example through oral or written communication with the respondent or the respondent's department head/supervisor (in the case of an employee) or an appropriate administrator (in the case of a student).
  - b. The Assistant Chancellor/EO or designee may arrange for a meeting(s) and/or distribution of relevant policy statements and/or other forms of educational materials to the appropriate department, residential area, etc.
  - c. If both complainant and respondent agree, the Assistant Chancellor/EO or designee may arrange and facilitate a meeting between the parties in an attempt to reach a mutually acceptable resolution.
  - d. Other options may be pursued which are consistent with applicable laws and/or University policies and procedures.
5. It is the intention of the University that the process described herein be the sole process for investigating complaints of discrimination or harassment. Nothing in these procedures is intended to interfere with the University's right to investigate and take appropriate action with respect to any other conduct or behavior.
6. The University reserves the right to discipline members of the University community who bring false complaints of discrimination. No complaint will be considered "false" solely because it cannot be corroborated.
7. These procedures may be modified, revised or amended at the discretion of the University.

#### **Section IV - State and Federal Remedies**

In addition to the above, employees who believe they have been subjected to harassment may file a complaint with the respective state agency and/or the United States Equal Employment Opportunity Commission (EEOC). Using the University's complaint process does not prohibit an employee from filing a complaint with these agencies. Each agency has a specific time period for filing a claim: the EEOC allows 300 days (may be longer in some circumstances), and the Massachusetts Commission Against Discrimination (MCAD) allows 300 days from the alleged incident or when the complainant

became aware of the incident.

**The United States Equal Employment Opportunity Commission (EEOC)**

John F. Kennedy Federal Building, Room 475

Government Center

Boston, MA 02203

617-565-3200 or 1-800-669-4000

TTY 617-565-3204 or 1-800-669-6820

[[www.eeoc.gov](http://www.eeoc.gov)]

**The Massachusetts Commission Against Discrimination (MCAD)**

Boston Office:

One Ashburton Place, Room 601

Boston, MA 02108

617-994-6000

TTY 617-994-6196

[[www.state.ma.us/mcad](http://www.state.ma.us/mcad)]

Springfield Office:

436 Dwight Street, Room 220

Springfield, MA 01103

413-739-2145

Worcester Office:

455 Main Street

Worcester City Hall

Worcester, MA 01641

508-799-8010

Students may also file complaints with the Massachusetts Commission Against Discrimination at the address listed above or with the United States Department of Education's Office for Civil Rights (OCR). The OCR allows 180 days (may be longer in some circumstances) from the alleged incident or when the complainant became aware of the incident for filing a claim.

**The United States Department of Education - Office for Civil Rights (OCR)**

John W. McCormack Post Office & Courthouse, Room 701

Boston, MA 02109-4557

617-223-9662

TDD 617-223-9695

[[www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)]

**June 2005**

EQUAL OPPORTUNITY & ANTI-HARASSMENT COMPLAINT FORM

The purpose of this form is to record information required to initiate an investigation. Please type or print when responding to the following.

_____	_____
Your name	Name of the alleged harasser
<input type="checkbox"/> Female	<input type="checkbox"/> Female
<input type="checkbox"/> Male	<input type="checkbox"/> Male
<input type="checkbox"/> Undergraduate Student	<input type="checkbox"/> Undergraduate Student
<input type="checkbox"/> Graduate Student	<input type="checkbox"/> Graduate Student
<input type="checkbox"/> Staff	<input type="checkbox"/> Staff
<input type="checkbox"/> Faculty	<input type="checkbox"/> Faculty
<input type="checkbox"/> Other	<input type="checkbox"/> Other

Your External: Telephone \_\_\_\_\_

Street \_\_\_\_\_

City and State \_\_\_\_\_ Zip Code \_\_\_\_\_

E-mail \_\_\_\_\_

Type(s) of alleged discrimination/harassment (See page 9 for laws & definitions):

_____ Age	_____ Disability	_____ Gender	_____ National Origin
_____ Race or color	_____ Religion	_____ Retaliation	_____ Sexual Harassment
_____ Sexual Orientation	_____ Veteran Status	_____ Other (describe)	_____

Date(s) on which alleged complaint occurred: \_\_\_\_\_

List any other employees, persons, or students involved: \_\_\_\_\_

Have you filed a complaint with any other enforcement agency? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, with whom: \_\_\_\_\_

The above information is complete and accurate to the best of my knowledge and belief and I hereby elect to use the procedures outlined in the Equal Opportunity and Anti-harassment Complaint Procedures. This information will be maintained confidentially to the extent practicable under the circumstances.

_____	_____
Complainant's Signature	Date

**THIS FORM MUST BE SUBMITTED TO THE EQUAL OPPORTUNITY OFFICE  
FOSTER ADMINISTRATION BUILDING**

Description of Complaint - please list the sequence of events, including names and addresses of witnesses, as well as any relevant facts and statements (attach additional sheets if necessary):

What would you like to see happen to resolve this issue?

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**THE FOLLOWING IS PROVIDED AS A GENERAL OUTLINE OF STATE AND FEDERAL ANTI-DISCRIMINATION LAWS; IT DOES NOT CONSTITUTE LEGAL ADVICE OR THE LEGAL POSITION OF THE UNIVERSITY:**

**Civil Rights Act of 1964** (Title VII) prohibits discrimination in employment on the basis of race, sex, religion, color, or national origin.

**Age Discrimination in Employment Act (ADEA)** of 1967, amended in 1978 and 1986, states that it is unlawful to discriminate in employment against persons aged 40 and over on the basis of age.

**Americans with Disabilities Act of 1990 (ADA)** and **Rehabilitation Act of 1973** prohibit discrimination in employment and education against qualified individuals with mental or physical disabilities.

**Massachusetts Anti-Discrimination Law** prohibits discrimination in employment on the basis of race, sex, religion, age, color, national origin, sexual orientation, reserve status, and disability.

**TYPES OF DISCRIMINATION:**

**Race** – Non-Whites, including African American, Hispanic, Asian, and Native American individuals, are often collectively referred to as people of color or minorities. However, the law prohibits discrimination against any racial group, including Whites.

**Color** – The law refers specifically to skin color because a shade of skin color may be perceived as being more or less preferable.

**Religion** – This term refers not only to “traditional” religious beliefs but also to any set of personal beliefs that are “sincere” and “consistently held.” Situations involving religion may often relate to work schedule or dress.

**Sex (Gender)** – Sex discrimination may result when co-worker or management behaviors and decisions affecting hiring or terms and conditions of employment are influenced by attitudes about a person’s gender.

**National Origin** – It is unlawful to discriminate against individuals because they were born in a particular country, or any country other than the U.S.

**Age** – All persons over 40 years of age are protected from job discrimination on the basis of their age.

**Disability** – A disability is any physical or mental impairment that substantially limits one or more major life activities. Major life activities are defined as walking, talking, caring for oneself, breathing, speaking, etc. Disabilities may be “visible,” such as use of a wheelchair or cane, or “hidden,” such as a heart condition, mental illness, seizure disorder, or HIV-related condition. Qualified disabled individuals are protected.

**Retaliation** – An individual who has engaged in a protected activity is protected against retaliation. A protected activity consists of the following: 1) opposing a practice made unlawful by one of the employment discrimination statutes; or 2) filing a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the applicable statute.

**Sexual Orientation** – The term “sexual orientation” means having an orientation for or being identified as having an orientation for heterosexuality, bisexuality, or homosexuality.

**Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of sexual nature constitute sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic work; 2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working or academic environment.

**Vietnam Era Veteran** – A person who (1) Served on active duty for a period of more than 180 days, and was discharged or released therefrom with other than a dishonorable discharge, if any part of such active duty occurred: (i) In the Republic of Vietnam between February 28, 1961, and May 7, 1975; or (ii) Between August 5, 1964, and May 7, 1975, in all other cases; or (2) Was discharged or released from active duty for a service-connected disability if any part of such active duty was performed: (i) In the Republic of Vietnam between February 28, 1961, and May 7, 1975; or (ii) Between August 5, 1964, and May 7, 1975, in all other cases.

**Other Protected Veteran** – Any other veteran who served on active duty in the U.S. military, ground, naval, or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, other than a special disabled veteran, veteran of the Vietnam era, or recently separated veteran.

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## **UMass Dartmouth**

### **AMERICANS WITH DISABILITIES ACT** **REASONABLE ACCOMMODATION REQUEST FORM** **JUNE 2005**

UMass Dartmouth provides equal employment opportunities to qualified disabled individuals. A “qualified” disabled person is one who can perform the essential functions of the job with or without a reasonable accommodation. “Reasonable accommodation” is defined as an accommodation that does not pose undue hardship on the University. “Undue hardship” is a practice, procedure, or financial cost which unreasonably interferes with business operations at the University.

In accordance with the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), UMass Dartmouth defines a disabled individual as “any person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities, has a record of such impairment, or is regarded as having such an impairment.” These terms are defined as follows.

- a. “major life activities” include, but are not limited to, functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.
- b. “has a record of such impairment” includes records which predate the relevant law and includes disabilities with which the individual is no longer afflicted.
- c. “is regarded as having such an impairment” refers to those individuals who are perceived as having a disability, regardless of whether the individual has a disability.

To make A reasonable accommodation request, please complete the attached form and submit it to the Office of Equal Opportunity, Diversity & Outreach. If you have any questions, you may call the office at 508-910-6405.

# UMass Dartmouth

## CONFIDENTIAL ADA REASONABLE ACCOMMODATION REQUEST FORM June 2005

Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Department: \_\_\_\_\_

Work Phone Number: \_\_\_\_\_

Home or Cell Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Please specify the disability you have for which you are requesting accommodation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What reasonable accommodation are you requesting at this time?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How long do you believe you will need this accommodation?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach a physician's (or other appropriate health care provider) letter verifying your disability, explaining in detail the recommended accommodation and how the recommended accommodation is necessary based on your disability. This documentation should be typed or printed on letterhead, dated, signed and legible with the name, title and professional credentials of the evaluator or medical provider.

The ADA Coordinator will review your request, and you will be contacted to discuss your requested accommodation.

The above information is complete and accurate to the best of my knowledge and belief. This information will be maintained confidentially to the extent practicable under the circumstances.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**THIS FORM MUST BE SUBMITTED TO THE OFFICE OF EQUAL OPPORTUNITY, DIVERSITY & OUTREACH  
FOSTER ADMINISTRATION BUILDING**

**UMass Dartmouth**  
**REASONABLE RELIGIOUS ACCOMMODATION REQUEST FORM**  
**June 2005**

In accordance with federal and state laws and University of Massachusetts Board of Trustees policies, the University of Massachusetts Dartmouth prohibits discrimination on the basis of religion. The University provides reasonable accommodations for members' sincerely held religious beliefs or practices unless doing so would impose an undue hardship on the University. A reasonable religious accommodation is any adjustment to the work and/or academic environment that will allow the individual to practice his/her religion. "Undue hardship" is a practice, procedure, or financial cost which unreasonably interferes with business operations at the University.

To make a reasonable religious accommodation request, please complete this form and submit it to the Office of Equal Opportunity, Diversity & Outreach. If you have any questions, you may call the office at 508-910-6405.

Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Department: \_\_\_\_\_

Work Phone Number: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_

Please specify the religious belief/practice you have for which you are requesting accommodation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What reasonable accommodation are you requesting at this time? What are some accommodation options?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Office of Equal Opportunity, Diversity & Outreach will review your request, and you will be contacted to discuss your requested accommodation. This information will be maintained confidentially to the extent practicable under the circumstances.

The above information is complete and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**THIS FORM SHOULD BE FILED WITH THE OFFICE OF EQUAL OPPORTUNITY, DIVERSITY & OUTREACH  
FOSTER ADMINISTRATION BUILDING, ROOM 324**

