

# Navigating the Basics of Discrimination, Harassment, Accommodations and...when to CALL OEO!



- Follow Up**  
 Notify OEO of potential discrimination or harassment once you understand:
1. **CALL OEO** - Call the OEO and speak with a specialist.
  2. **ENCOURAGE** - Contact the individual if a follow up was requested or one is needed and encourage them to contact the OEO before/after.
  3. **CONFIDENTIALITY** - Confidentiality of type up your notes and pass them onto OEO as needed.

- TO DO:**  
 This isn't complex, but it is important.
- **DO NOT:**
    - o Substitute your own judgment.
    - o Tell the employee or for the OEO.
    - o Touch off the employer's concerns.
    - o Attempt to handle the situation on your own.
  - **ALWAYS:**
    - o NOTIFY OEO of potential concerns.
    - o ENCOURAGE the employee to contact OEO if the facts show there is discrimination or harassment or who needs an accommodation.
    - o Take notes on what the employee tells you.

**How much information do you need? ...and how to get it.**

**BASIC INFORMATION**

- names
- work location
- supervisor's name
- dates of incidental at issue

**GENERAL SITUATIONAL INFORMATION:**

- Is this an ongoing or discrete issue?
- Who is involved? Supervisor? Management? Co-workers? Other?
- What does the employee think happened?

The clock indicates that this process should not take a long time.

**What to do when you get THAT call...**  
 Overall objective: Know when to get OEO involved.

**How to know when issues of equal opportunity are at play...**

- the employee need not use magic words of "discrimination" or "harassment," you might have to determine that as a possibility.
- the employee might use the terms "discrimination" and "harassment," but they do not seem to be based on a protected basis.
- you might have other knowledge of the situation that best gives you a solution, do you use it?

**Step 1: Know the Basics**  
 There are three layers of protection for workers.

**FEDERAL LAW**  
 Protected classes: race, color, national origin, religion, sex, disability. Also includes prohibition on sexual harassment, requirement of reasonable accommodations and pay equity.

**MICHIGAN LAW**  
 Protected classes: all of the above PLUS height, weight, marital status and marital status.

**WSU POLICY**  
 Protected classes: all of the above PLUS sexual orientation and gender identity written into the policy!

\* Federal law also prohibits discrimination based on genetic information or the perception of genetic information.



# Navigating the Basics of Discrimination, Harassment, Accommodations and...when to CALL OEO!



- Follow Up**  
No issue of potential discrimination or harassment should go unreported
- 1** **OPTIONAL:** Call the CEO and speak with a supervisor. Contact the individual if a follow-up will be required or one is needed and encourage them to contact the CEO (no or hard).
  - 2** **OPTIONAL:** Contact the individual if a follow-up will be required or one is needed and encourage them to contact the CEO (no or hard).
  - 3** **OPTIONAL:** Consolidate or type up your notes and pass them on to CEO as needed.

- TO DO:**  
This isn't complete, but is important
- DO NOT:**
    - Substitute your own judgment for the employee or for the CEO
    - Break off the employee's concerns
    - Attempt to handle the situation on your own
  - ALWAYS:**
    - NOTIFY OEO of potential concerns
    - ENCOURAGE** the employee to contact OEO if they feel that there is discrimination or harassment or who needs an accommodation.
    - Take notes on what the employee tells you.

- How much information do you need? ...and how to get it.**
- BASIC INFORMATION**
- name
  - work location
  - supervisor's name
  - dates of incident(s) at issue
- GENERAL SITUATIONAL INFORMATION**
- Is this an ongoing or discrete issue?
  - Who is involved? Supervisor? Management? Co-workers? Other?
  - What does the employee think happened?
- This does not need to be a long call.*

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as a possibility

yes, I have been  
witness to violations of  
Title VII, Section 703(a).  
Please advise!

I wish to engage in the interactive process in order to receive a reasonable accommodation that allows me to perform the essential functions of my job.

the employee might use  
the terms  
‘discrimination’ and  
‘harassment’ but they do  
not seem to be based  
on a protected basis



“This is discrimination!”  
“Why? Do you say that?”  
“Because they don't like  
my shoes!”




I'm being harassed.  
This is retaliation.

and employees need not use the magic words of "discrimination" or "harassment"...you might want to determine that as a possibility

and employees might use the terms "discrimination" and "harassment" but they do not seem to be based on a protected basis

you might have other knowledge of the situation that you feel gives you a solution...do you use it?

I know this  
department...there's  
no way discrimination  
is going on there.



This is just an  
FMLA  
issue...we  
can handle  
that.

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- name,
- work location
- supervisor's name
- dates of incident(s) at issue

## GENERAL SITUATIONAL INFORMATION:

- Is this an ongoing or discrete issue?
- Who is involved? Supervisor? Management? Co-worker? Other?
- What does the employee think happened?



This does not need to be a long call.

# TO DO:

This isn't complex, but it's important

- DO NOT:



- Substitute your own judgment
  - for the employee or for the OEO
- Brush off the employee's concerns
- Attempt to handle the situation on your own

- ALWAYS:



- NOTIFY OEO of potential concerns
- ENCOURAGE the employee to contact OEO if s/he feels that there is discrimination or harassment or s/he needs an accommodation.
- Take notes on what the employee tells you.



# Follow Up

No issue of potential discrimination or harassment should go unattended

- 1 • STEP ONE: Call the OEO and speak with a specialist.
- 2 • STEP TWO: Contact the individual if a follow up was requested or one is needed and encourage them to contact the OEO him or herself.
- 3 • STEP THREE: Consolidate or type up your notes and pass them on to OEO as needed.

# GOALS

To ascertain the parameters of the situation.



To provide the employee with resources.



To notify the OEO of any potential issues involving harassment, discrimination, accommodations, pay equity or the like.