INTRODUCTION

1. Texas law requires all state employees to receive training on their agency’s policies and procedures relating to employment discrimination.

2. Knowing A&M System policies and procedures can help you make a complaint if you need to AND stay out of trouble.

SECTION 1: OVERVIEW OF WORKPLACE DISCRIMINATION LAWS

1. A&M System policies on workplace discrimination are based on federal and state laws. These laws prohibit discrimination in personnel actions based on race, color, religion, sex, national origin, age, disability, or veteran status.

2. In some instances, veterans have priority in hiring.

SECTION 2: COURTS, RIGHTS, AND MYTHS

1. Courts decide whether discrimination laws have been violated based on two key concepts:

   - *Difference in treatment* discrimination happens when people in similar situations are treated differently because of a non-work related reason.

   - *Difference in impact* discrimination occurs when a treatment that appears equal on the surface has a different impact on different groups of people—and there is no legitimate business reason for it.

2. Equal employment opportunity laws are not intended to give some groups an undeserved advantage. Rather, they are designed to ensure equal access to employment opportunities & fair treatment for all.

   If an employee experiences discrimination, he or she may make a formal complaint without fear of retaliation.
**SECTION 3: EEO EXERCISE**

This section does not have key points as it presented a collection of practice questions to reinforce the points presented in the first two sections.

**SECTION 4: SEXUAL HARASSMENT**

1. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when this conduct is so severe, persistent or pervasive that it:
   - Explicitly or implicitly affects an individual’s employment
   - Unreasonably interferes with an individual’s work or educational performance
   - -OR- Creates an intimidating, hostile, or offensive work or educational environment

2. There are two types of sexual harassment: quid pro quo and hostile environment harassment.
   - Quid pro quo harassment occurs when a "this for that" exchange is expressed or implied (I will do “this” if you do “that.”).
   - A sexually hostile environment is created when one or more persons engages in conduct that is considered unwelcome and offensive.

3. All forms of sexual harassment are prohibited by System policy.

**SECTION 5: A&M SYSTEM DISCRIMINATION POLICIES AND PROCEDURES**

1. System policies and regulations affirm the A&M System’s commitment to abide by federal and state non-discrimination laws. These include System Policy 08.01 and System Regulation 08.01.01.

2. If you have a question, concern, or complaint about potential employment discrimination, you may discuss it with your supervisor. However, if your supervisor is part of the problem, or you feel uncomfortable talking about it with your supervisor, contact the office designated to handle discrimination matters within your organization, or any administrator.

3. If you cannot work out a solution internally, you can also file a complaint of discrimination or sexual harassment with the Civil Rights Division of the Texas Workforce Commission or with the U.S. Equal Employment Opportunity Commission (EEOC).

4. Students may file a discrimination complaint based on sex, disability, age, race, color, or national origin with the U.S. Department of Education’s Office of Civil Rights.
CONCLUSION

1. Only employment-related factors should be considered in making personnel decisions.

2. Race, color, religion, sex, national origin, age, genetic information or disability should NOT be considered in making personnel or educational achievement decisions.

3. No employee, student, client, or visitor should be subject to illegal harassment or discrimination for any reason.

4. The world is changing and the workplace must change with it. People in the workplace will increasingly come from different backgrounds and have different beliefs and values. To be effective, each of us needs to learn to treat others fairly and work effectively with all people.