

UW Colleges & UW-Extension Procedures Related to Concerns and Complaints of Unlawful Discrimination, Sexual Harassment, Protected Status Harassment, & Retaliation

Who may register a concern or file a complaint?

Any member of the UW Colleges or UW-Extension community (employee, student, program participant, applicant, visitor, volunteer, etc.) who has reason to believe they have been subjected to or witnessed unlawful discrimination, harassment, or retaliation in a University education program or activity or in the employment setting may use the following procedures to address their concerns or file a formal complaint.

Procedure for addressing initial concerns:

Any concerns regarding unlawful discrimination, harassment, or retaliation should be brought to the attention of the university immediately. The following designated authorities (Supervisor, Dean, Department Chair, Human Resources Official, or compliance staff in the Office of Equity, Diversity, and Inclusion) are tasked with addressing such concerns.

These designated authorities are prepared to discuss the events, feelings or perceptions creating the concern. These preliminary discussions are considered informal, however may lead to other possible actions depending upon the facts presented and the wishes of the offended individual. To the extent possible, identities of complainants will not be made known without their prior knowledge during the informal process.

Outcomes of addressing informal concerns:

No Action

- The offended individual decides against further action.
- The designated authority does not consider further action appropriate. Please contact the Office of Inclusion with any questions regarding questionable situations.

Informal Action

- Communicate with the alleged offending individual to create awareness of issues and subsequent actions. By request, the offended individual may remain anonymous to the extent possible. The offending individual may have a third party present during the communication meeting.
- Conduct specific education with offending individual or department.

Formal Action

- Formal actions are initiated by submitting a written Statement of Complaint to the Office of Equity, Diversity, and Inclusion that chronicles specific actions considered discriminatory with details; including time, date, place situation and witnessing parties. Designated authorities are encouraged to assist the complainant in accessing the proper information for this process and directing them to the Office of Equity, Diversity, and Inclusion.
- Formal action may also commence if the informal action does not stop the alleged discrimination or if the alleged discrimination or harassment are judge by the Affirmative Action Officer or designee to be pervasive and severe enough to warrant formal investigation.
- Anonymity cannot be preserved for either party during "Formal" action.

- Findings, conclusions and recommendations based on the investigation will be completed in a timely manner with accommodation to the academic calendar.

Formal complaint process:

- The University follows EEOC and state guidelines. To be timely, a written Statement of Complaint must be filed with the [Office of Equity, Diversity, and Inclusion](#) within 300 days of the date the complainant knew or should have known about the most recent alleged incident.
- Though not required, the Office of Equity, Diversity, and Inclusion requests that the complaint be submitted on the formal complaint form provided on the Office of Equity, Diversity, and Inclusion website. This form captures all required information and ensures consistency of documentation. The Statement of Complaint must include the following information:
 - The full name and address of Complainant, who must be the individual claiming to be harmed by the discrimination;
 - The name of Respondent(s) and Complainant's relationship to the Respondent (i.e. Respondent is supervisor, professor, co-worker, etc.);
 - The protected category or activity under which you are filing the complaint;
 - A clear and concise written statement of the facts that constitute the alleged discriminatory act(s) or harassing behavior, including pertinent dates and sufficient information to identify any other individuals who may provide information during the course of an investigation conducted under these procedures and to bring the matter within the jurisdiction of the Office of Equity, Diversity, and Inclusion to investigate;
 - A statement by Complainant verifying that the information supporting the allegations of discrimination is true and accurate to the best of Complainant's knowledge;
 - Information that establishes that both Complainant and Respondent(s) have a sufficient relationship to the University to require application of Wisconsin Board of Regents' or University policies to the alleged discriminatory action; and
 - Complainant's signature
- If the complaint fulfills the requirements set forth in this document, a designated staff member in the Office of Equity, Diversity, and Inclusion shall sign the complaint and provide Complainant a copy of the complaint. A complaint shall be considered "filed" only after it is signed by a staff member in the Office of Equity, Diversity, and Inclusion, and is filed in accordance with the procedures outlined in this document.
- Upon review of the initial facts, if the Office of Equity, Diversity, and Inclusion concludes that, under the law, discrimination, harassment, or retaliation may have occurred, an investigation will be commenced. If the Officer concludes that evidence of discrimination, harassment, or retaliation cannot be determined from the written materials, the complaint may be dismissed and a written report of reasons will be made to complainant.
- If an investigation is commenced, the alleged offending individual (respondent) will be notified of the particulars of the complaint and will be given an opportunity to respond to the allegations during the investigation. Complainant confidentiality cannot be preserved at this time.
- The time frame for findings, conclusions and recommendations based on the investigation will be timely from time of receipt of the complaint to the written response to the complainant (ideally within 90 days). Academic breaks and other extenuating circumstances may be taken into consideration.
- At the conclusion of the investigation, the investigator shall submit a Findings of Fact Report to the Office of Equity, Diversity, and Inclusion. The Office of Equity, Diversity, and Inclusion will determine if there is sufficient or insufficient evidence to support the complainant's allegations. In either case, the letters to the complainant, the university official, and the respondent

will include a summary of the allegations, and a listing of authorities under which the complainant's allegation is based.

- If the Office of Equity, Diversity, and Inclusion issues a letter of insufficient evidence, the letter to the complainant will also contain a description of any appeal process available and a list of other agencies with concurrent jurisdiction.
- If the Office of Equity, Diversity, and Inclusion determines that there is sufficient evidence to indicate that discrimination, harassment, or retaliation has likely occurred, the Office of Equity, Diversity, and Inclusion will contact the appropriate university official to discuss implementing appropriate remedies. The Office of Equity, Diversity, and Inclusion will then issue the final letters.
- Among the remedies that the Office of Equity, Diversity, and Inclusion can recommend include: back pay; rehiring if terminated; agreement by the respondent to stop the behavior; a formal apology; training, counseling, and coaching regarding employment expectations in the academic work environment; disciplinary action, which could include a written reprimand placed in the Respondent's employment or academic file; disciplinary transfer to another job location; loss of merit pay; employment or academic suspension; discharge or expulsion.

Any party disciplined as an outcome of the complaint or review process who believes the discipline is unfair or violates university personnel policies may grieve the discipline through appropriate personnel or governance grievance policies.

Contact information

If you have questions about anything contained in this document, if you would like to file a complaint, or if you need a copy of this policy in an alternative format as an accommodation for a disability, please contact the Office of Equity, Diversity, and Inclusion at:

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