

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 12, 2010

REGULATION TITLE:
Non-Discrimination Policy

REGULATION NO.:
UF-1.006

SUMMARY: The amendment reflects changes that are required to comply with the Genetics Information Nondiscrimination Act (GINA) of 2008 that went into effect on November 21, 2009.

AUTHORITY: BOG Regulation 1.001.

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Rebecca J. Holt, Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: Paul Varnes Fussell, Vice President for Human Resource Services

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

~~6C1-1.006~~ ~~University of Florida;~~ Non-Discrimination Policy.

(1) The University shall actively promote equal opportunity policies and practices conforming to laws against discrimination. The University is committed to non-discrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations, genetic information and veteran status as protected under the Vietnam Era Veterans' Readjustment Assistance Act. This commitment applies in all areas to students, Academic Personnel (AP), Technical, Executive, Administrative, and Managerial Support (TEAMS) staff, University Support Personnel System (USPS) personnel, and Other Personnel Services (OPS) employees. The University realizes that it must continue to intensify its concern and devote itself to the elimination of conditions from which discrimination spring. In this respect the University accepts the responsibility for solving problems related to these matters. Accordingly, the University will continue to search for the most appropriate ways and means to provide an effective and enduring contribution to the improvement of these relationships.

(2) It is the policy of the University that each employee and student be allowed to work and study in an environment free from any form of discrimination. Sexual harassment is a form of sex discrimination under Title VII of the Civil Rights Act of 1964, and is conduct unbecoming a State employee as provided in Section 110.227, Fla.orida Statutes.

(a) Sexual harassment is defined as unwelcome sexual advances, or requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct or request is made either explicitly or implicitly a term or condition of an individual's employment or academic status.

2. Submission to or rejection of such conduct or request by an individual is used as the basis for employment or academic decisions affecting such individual, or

3. Such conduct or request has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile work-related or academic environment.

(b) Disciplinary Action.

1. Any employee or student of the University who is found to have sexually harassed another employee or applicant for employment or student will be subject to disciplinary action up to and including dismissal or expulsion.

2. Any employee or student in a supervisory capacity who has actual knowledge by direct observation or by receipt of a complaint of sexual harassment involving any of those employees he or she supervises or over whom he or she has managerial authority, and who does not investigate, and, if appropriate, take corrective action or report the matter directly to the Director of Equal Employment Opportunity, shall be subject to disciplinary action up to and including dismissal or expulsion.

(3) Complaints and Appeal Procedures. Any employee or student who believes that he or she is a victim of discrimination, including sexual harassment as defined above, may pursue informal resolution of the complaint or may file a formal written complaint in accordance with University [of Florida Regulations Rules](#) ~~6C1~~-1.0063 and ~~6C1~~-4.012-~~F.A.C.~~. Employees and students may contact the Director of Equal Employment Opportunity to seek assistance in informally resolving the complaint or in filing a formal complaint or grievance.

~~Specific~~ Authority: BOG Regulation 1.001, ~~1001.74(4) FS~~.

~~Law Implemented 1001.74(10) and (19) FS.~~

History--New 2-23-82, Amended 3-6-85, 11-13-90, 4-30-95, 11-25-03, 10-11-07
(technical changes only), Formerly 6C1-1.006, Amended _____.