

UO Employee Reporting Obligation—Search Committees

Was a motivator for the conduct a person's protected class or activity?

Race, sex, religion, marital status, protected leave, whistleblowing, worker's compensation, etc.

No. The conduct is not discriminatory, but you may still want to reach out to HR Talent at talent@uoregon.edu to discuss your concerns and impact on search process.

Yes.

Consult with Talent at talent@uoregon.edu to discuss what occurred and next steps.

If a candidate was treated differently by a UO employee during the search process because of the candidate's protected class or activity, please consult with the Office of Investigations and Civil Rights Compliance at icrcinfo@uoregon.edu on whether a report needs to be made. UO employees are obligated to report any discriminatory or harassing behavior they witness at the UO. See back for definitions of discriminatory or harassing behavior.

Protected Class and Activities under UO Policy

Age
Race
Color
Ancestry
National or Ethnic Origin
Religion
Gender
Disability
Service in the uniformed Services

Veteran Status
Sex
Sexual Orientation
Gender Identity
Perceived Gender
Marital Or Family Status
Pregnancy-Related Conditions
Genetic Information
Use of leave protected by state or federal law

Prohibited Discrimination (Different Treatment)

Any act that in either form or operation, and whether intended or unintended, unreasonably discriminates among individuals on the basis of a protected class or activity.

Discriminatory Harassment (Hostile Environment)

Any conduct that either in form or operation unreasonably discriminates among individuals based on a protected class or activity and is sufficiently severe or pervasive that it interferes with work or participation in any university program or activity, including academic activities because it creates an intimidating, hostile, or degrading environment for the individual who is the subject of such conduct, and where the conduct would have such an effect on a reasonable person who is similarly situated.

Sexual Harassment

1. Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic experience or participation in any university program or activity;
2. Submission to or rejection of such advances, requests, or conduct by an individual is used as a basis or condition for employment, participation in any university program or activity or academic experience; or
3. Such conduct is unwelcome and sufficiently severe or pervasive that it interferes with work, participation in any university program or activity and/or academic experience because it creates an intimidating, hostile, or offensive working, university or academic environment for the individual who is the subject of such conduct, and where the conduct would have such an effect on a reasonable person who is similarly situated.

Protected Classes	
TITLE VII OF CIVIL RIGHTS ACT OF 1964 Federal laws apply when an employer has 15 or more employees (except where noted)	OREGON REVISED STATUTES CHAPTER 659A State laws apply when an employer has one or more employees (except where noted)
Race Color National origin Sex (includes pregnancy-related conditions) Religion Retaliation Association with protected class Genetic information (under Genetic Information Nondiscrimination Act)	Race Color National origin Sex (includes pregnancy-related conditions) Sexual orientation (includes gender identity) Religion Retaliation Association with protected class Prohibition on genetic screening and brain-wave testing
Age (40 and older in companies with 20+ employees) (Age Discrimination in Employment Act of 1967)	Age (18 and older)
Veterans (companies with 1 + employees) (Uniformed Services Employment and Reemployment Rights Act of 1994 and the Vietnam Era Veterans Readjustment Assistance Act of 1974) Veterans' preference in hiring and promotion (public employers)	Members of the uniformed services (ORS 659A.082) Taking leave to serve in state-organized militia (ORS 399.065) Taking leave prior to or during leave from deployment by spouse or same-sex domestic partner of member of the armed forces under the Oregon Military Family Leave Act (in companies with 25+ employees) Veterans' preference in hiring and promotion (public employers)
Physical or mental disability (Americans with Disabilities Act of 1990, as amended in 2008, for companies with 15 or more employees)	Physical or mental disability (in companies with 6+ employees)
Taking leave under the Family and Medical Leave Act of 1993 (in companies with 50+ employees)	Taking leave under the Oregon Family Leave Act (in companies with 25+ employees)
Concerted activity for mutual aid and benefit under Section 7 of the National Labor Relations Act	Inquiring about, discussing, or disclosing wage information
Additional classes protected by state law, Chapter 659A (Except where noted, laws apply when an employer has one or more employees)	
Access to employer-owned Housing Credit records or credit history Expunged juvenile record Injured workers (in companies with six or more employees) Leave to donate bone marrow Leave to serve in the state legislature, (ORS 171.120-125) Limits on breathalyzer and blood alcohol testing Marital status Medical release as a condition of continued employment Opposition to health or safety conditions (ORS 654.062(5)(a)) Prohibition on employer requiring medical release unless employer pays out-of-pocket costs	Prohibition on genetic screening and brain-wave testing Prohibition on polygraph exams Restrictions on criminal conviction inquiries Retaliation based upon family relationship Right to file a lawsuit, testify in criminal or civil proceedings or report criminal activities Right to report health care violations Right to testify at Employment Department hearings Right to testify before the state legislature Sexual orientation and gender identity Social media account privacy Use of lawful tobacco products on off-duty hours Victims of Domestic Violence, Harassment, Sexual Assault or Stalking including leave provisions