

**ARTICLE 31  
SEXUAL HARASSMENT**

- A.** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
1. submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other University activity;
  2. submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting an individual; or,
  3. such conduct could reasonably be assumed to have the purpose or effect of interfering with an individual's performance or creating an intimidating, hostile, or offensive working environment.
- B. SEXUAL HARASSMENT COMPLAINTS BY NSF IN THE UNIT:**
1. may be processed in accordance with Article 32 - Grievance Procedure; or,
  2. may be processed in accordance with the pre-grievance complaint resolution process of the sexual harassment complaint resolution procedures in effect at the time at the location of the NSF. (For informational purposes only, see Appendix D for identification of the current campus Complaint Resolution Officer(s) and information regarding access to the current campus procedure.) If the sexual harassment complaint is not resolved through the local pre-grievance complaint resolution process, the complaint may be taken to Step 3 of Article 32 - Grievance Procedure.
- C.** Disciplinary action taken against an NSF resulting from a sexual harassment complaint will be considered to be for misconduct and will be taken in conformance with the procedures set forth in Article 30 - Discipline and Dismissal.