

After Title IX:



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AGENDA

What Title IX It Is and Is Not

Quick refresher on sex discrimination and harassment rights *in education*

Essential Workplace Rights & Protections

Overview of prohibitions against workplace sex discrimination and harassment

Scenarios & Discussion

“Based on real life events” scenarios for victims, bystanders, & witnesses

What TIX Is and Is Not

Title IX is:

- a federal law prohibiting sex discrimination & harassment *in education* (not employment)
- designed to protect both male & female students (yes, the law takes a binary approach)
- limited to sex-based conduct (i.e., race, religion, age, disability, etc.-based discrimination is also prohibited in education *but by different laws, not Title IX*)

**So, what happens *after* you graduate
and enter the workforce?**



Why talk about sexual harassment in the workplace?

25% to 85% of all American women experienced sexual harassment in the workplace in 2019

56% of men believe abusers are not punished when an incident occurs

6 of 10 harassed women never file a complaint

56% of men believe abusers are not punished when an incident occurs

10% of men reported being victims of workplace sexual harassment

Women working in restaurants experience sexual harassment 90% of the time

Victims of abuse are 6.5 times more likely to change professions

The average cost due to productivity loss amounts to \$22,500 per person

TIX vs TVII

	Who	What	Where	When	Why	How
Title IX of the Educ. Amendments of 1972	Enacted to protect women from discrim. in educ; today protects women & men	Sex-based discrimination & “sexual harassment” (assault, quid pro quo, hostile learning...)	Any educational institution that accepts federal funding (which means almost all, including Oregon Tech)	Typically, must file with Dept. of Educ w/i 180 days of most recent discriminatory act	Provide equal access to programs, activities, financial aid, scholarships, athletics	Behavior must be severe AND pervasive AND objectively offensive to the reasonable person + harm
Title VII of the Civil Rights Act of 1964	Enacted to prevent workplace discrim. based on race, color, religion, sex* & national origin	Discrim, harassment = quid pro quo, hostile working environment	Any employer with 15 or more employees (state law may cover employers with 1-14 employees)	In Oregon, you must file charge with EEOC or BOLI w/i 300 days of the discriminatory act	Prevent discrim. in hiring, firing, salaries, ads, promotions, benefits, layoffs, transfers...	Behavior must be severe OR pervasive to alter work conditions (= harm)

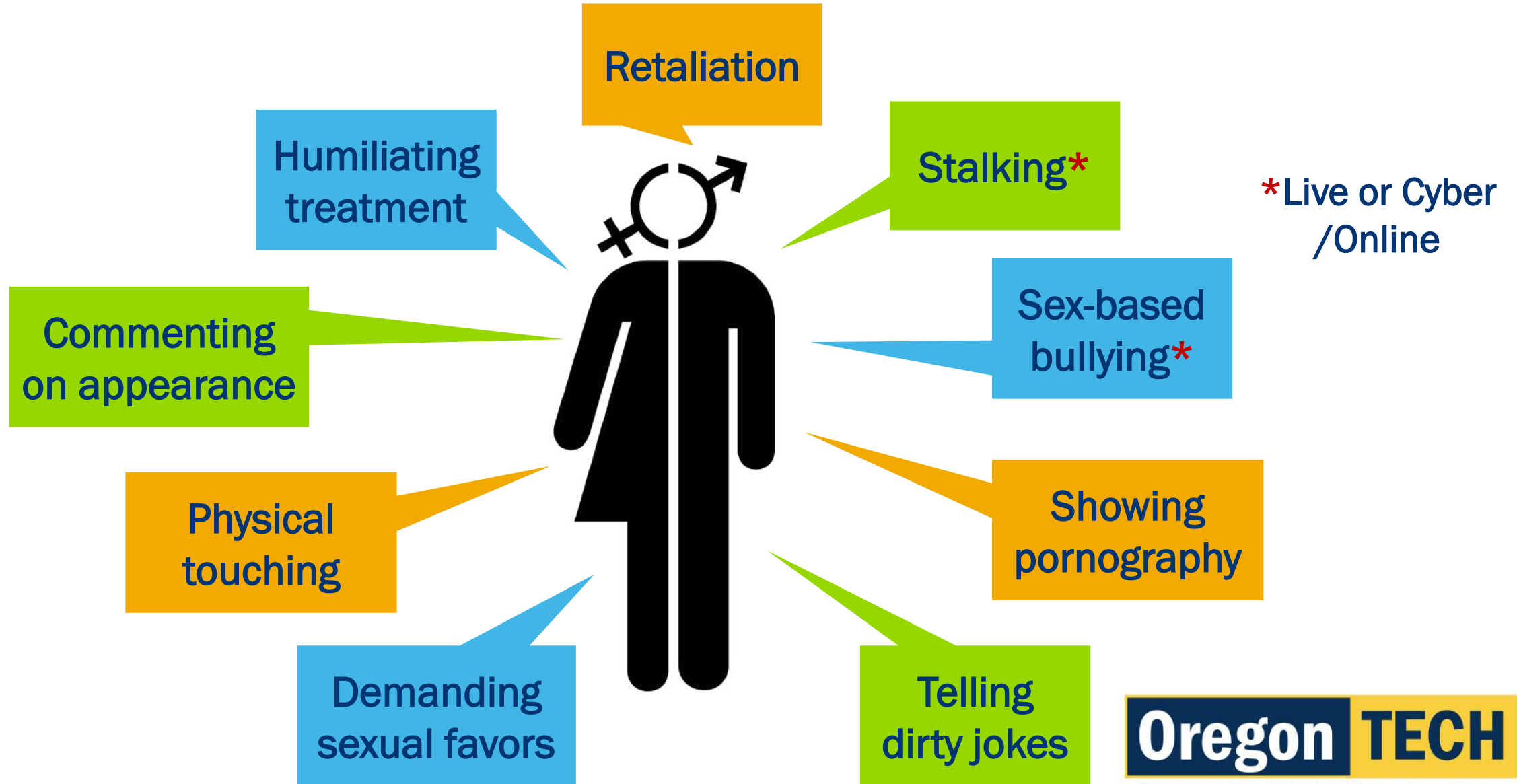
*sex under Title VII = biological sex,
sexual orientation, gender identity,
gender expression, pregnancy

Title VII Protects Against...

- Sex-based discrimination in employment
 - Job advertisements, recruitment
 - Interviewing, hiring, background checks
 - Salaries, benefits, leave
 - Assignments, promotions
 - Lay-offs, recall, terminations, discipline
 - Access to overtime (if hourly)
 - Performance management
 - Employment references
 - Training & professional development opportunities
 - Office space, equipment
 - Pretty much any term or condition of employment!
- Workplace sexual harassment
 - hostile work environment
 - *quid pro quo*



Title VII: Workplace Sexual Harassment



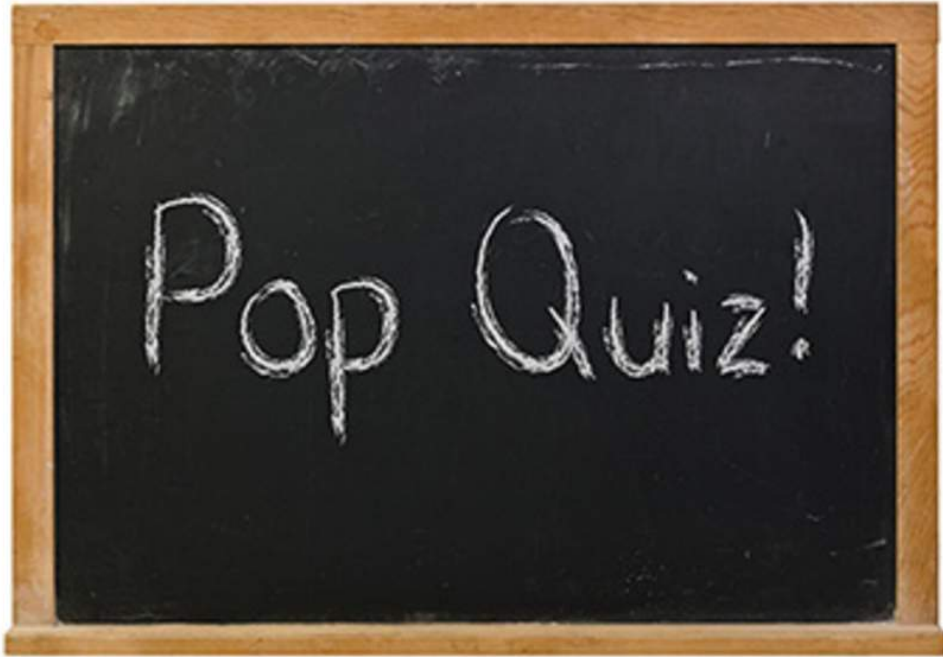
On the job...

“Most” employers will:

- Adopt Policies
- Adopt Procedures
- Provide Training
- Have a Designated Office
- Allow for Anonymous Reporting
- Provide EAP/Support



Warm Up: Pop Quiz



Supervisor tells employee, “I’d love to consider you for that promotion. Why don’t you come to dinner with me tonight and we can talk about it over a couple of drinks? Wear something nice.”

- Does this seem legit?
- What’s the term for “you do something for me and I’ll do something for you”?

Scenario 1

Every time a vendor comes by the office, you get asked out. You politely say no each time. You complain to your supervisor, who does nothing. “That person doesn’t work here. There’s nothing I can do,” says your supervisor.

- Who is in the wrong here—the vendor, your supervisor, or both?
- What may be a good course of action if the supervisor won’t step in to help?
- What if you are not the target of the vendor’s attention but observe this happening to a colleague (who is clearly uncomfortable)? What could you do?



Scenario 2



You develop a workplace crush on a co-worker. You go out on a few dates and then the co-worker starts seeing someone else. You feel uncomfortable working with them now.

- What, if anything, do you think you should do?
- How could this have been avoided in the first place (this is not a trick question)?

Scenario 3

There are some interesting field assignments that your supervisor keeps giving only to male employees. A female colleague brings this up during lunch one day. “How come women never get any of those assignments? It would be fun to spend some time at the site.”

- Do you say anything? If so, what would you say?
- Would you take any action? If so, what would you do?



Scenario 4



You have been on the job for about 9 months and find out a new hire (who is not of the same biological sex as you) is making \$5,000 more than you.

- How does this make you feel?
- Do you think there *could be* non-discriminatory reasons for this?
- What else would you want to know?
- What, if anything, would you do in this situation?

Scenario 5

Your supervisor has never been inappropriate or out of line with you before—in fact, you really respect them. However, at the holiday office party, your supervisor has had a bit to drink and tries to force you to dance with them. You are surprised and uncomfortable.

- What do you think you would do in this situation (i.e., in the moment)?

Eventually, you get away and the supervisor starts to dance with someone else.

- What would you do the following Monday when you see your supervisor?



Best Practices

Job Search:

- ✓ **Ask about work culture when you interview**
- ✓ **Check out the company website**

Know your employer's complaint and reporting options—offices and mechanisms

Speak up and speak out when you see others being targeted to sexual harassment

Know your employer's policies on discrimination, harassment, and non-retaliation

Hold yourself to high standards. Don't take any chances with your actions or words being misinterpreted

Think in 3D:

- ✓ **Direct: Address the issue**
- ✓ **Delegate: Get help**
- ✓ **Distract: Get out of immediate harm**

While You're Still at Oregon Tech...



- While at Oregon Tech, if you witness, hear about, or experience discrimination or harassment based on sex (or any other reason!), please report it.
- You can report directly to Title IX (TitleIX@oit.edu) but there are anonymous reporting options, too. Learn more @ <https://www.oit.edu/title-ix>



Discussion & Questions

