



Office of Equal Opportunity and Affirmative Action

Grievance Procedures

Members of Tufts community who believe they have been subjected to discrimination or harassment may choose to resolve the issue(s) either through an informal resolution process or a formal resolution process. Although the University recognizes and encourages the informal resolution process, the individual initiating the complaint maintains the right to initiate formal proceedings at any time during this process. Tufts also maintains the right to institute a formal investigation at any time.

Terminology Used

Complainant: The person who makes the complaint and/or files the grievance.

Grievance: A formal written complaint.

Respondent: The person accused of violating an OEO policy.

OEO: The Office of Equal Opportunity.

Coordination with Other University Grievance Procedures

Tufts recognizes that grievance procedures not related to issues of discrimination or harassment are currently in place throughout the University. The University does not intend for the OEO grievance procedures to replace other established faculty, student, and staff university grievance procedures; individuals are expected to follow the appropriate and established guidelines. A complaint filed under the OEO grievance procedures should include an allegation of discrimination or harassment. When an allegation of discrimination or harassment is reported to a University member, he/she must notify the appropriate individuals as outlined in this policy.

Note: For student-on-student discrimination or harassment allegations, the appropriate dean of students or dean of college/school should be contacted.

Temporary Measures

The University may, at any point in the OEO grievance process, elect to place the Respondent on investigative leave, reassign work and/or reporting responsibilities, or implement other types of temporary measures while an investigation is pending. The University also reserves the right to issue stay-away orders or no-contact directives to any or all parties involved in the process.

The Informal Resolution Process

The purpose of the informal process is to resolve concerns about possible discrimination or harassment as expeditiously as possible. Any member of the Tufts community who believes that he/she has been subjected to discrimination or harassment has the option to resolve the problem through the informal resolution process.

An individual may elect to confront the person who is creating the conflict to discuss the situation and request that the behavior stops. The individual who chooses this option is encouraged to document their discussion. If discussing the problem with that person presents difficulties or if the Complainant does not want to address that person, he/she may contact OEO for consultation and assistance. The individual also has the right to initiate formal proceedings at any time during this process.

For sexual harassment allegations, the individual may contact any of the Sexual Harassment Resource Persons listed in the Sexual Harassment policy or at www.tufts.edu/oEO.

For ADA/Section 504 concerns, the individual may contact the Section 504 Officer at 617.627.3298.

The Formal Resolution Process

If the Complainant is not satisfied with the resolution from the informal process, he/she has the right to file a grievance in accordance with the following procedures. The filing of an OEO grievance initiates the formal resolution process. The Complainant may choose to bypass the informal resolution process and institute a formal grievance.

Initiating the Formal Resolution Process

An individual who believes that he/she has been subjected to discrimination or harassment and opts for the formal resolution process must file an OEO grievance. The grievance should be in writing and should summarize the particulars related to the OEO allegation(s) as outlined below under OEO Grievance Documentation. A formal OEO grievance form is available online at www.tufts.edu/oEO or you may request one by contacting OEO at 617.627.3298.

For sexual harassment allegations, a Sexual Harassment Resource Person (with the exception of the Title IX Coordinator) may assist in the writing of the OEO grievance if the Complainant wishes. You may access the list of Sexual Harassment Resource Persons by visiting www.tufts.edu/oEO or by calling 617.627.3298.

OEO Grievance Documentation

Please use an OEO grievance form or submit the following information in writing to OEO:

- complainant's name, job title, work location and contact information
- the Respondent's name, job title, work location and contact information, if known
- a description of the alleged incident including the date of occurrence, location where incident occurred, and any response the Respondent had to the alleged incident
- the names and contact information, if known, of any witnesses
- identify why you believe the discrimination or harassment is based on one or more of the following: race, color, national origin, age, religion, disability, sex (including sexual harassment), sexual orientation, gender identity and expression, veteran status (special disabled veteran, disabled veteran, Vietnam-era veteran), or retaliation
- if retaliation is identified, describe in detail the actions you believe to be retaliatory (i.e., If there was a disciplinary action, describe the action and why you believe the action was unwarranted)
- what you would like to happen as a result of this OEO grievance. (State the resolution that you are seeking)

Where to File an OEO Grievance

For **sexual harassment** allegations, the OEO grievance should be filed as indicated below:

If the person filing the grievance is a:

File the grievance with one of the following:

Staff Member or Administrator

The Director of OEO
The Vice President of Human Resources
The Director of Employee Relations/Employment
The Director of Human Resources and Talent Management

Faculty Member

The Director of OEO
The appropriate dean of the college/school or the provost

Student-on-Student (*allegations against another student*)

The appropriate dean of students or dean of the college/school

Student (*allegations against a staff or faculty member*)

The Office of Equal Opportunity
The appropriate dean of students or dean of the college/school

For **discrimination** or **harassment** allegations, the OEO grievance should be filed with OEO located in Ballou Hall, 1st floor, Medford Campus. You can also access an OEO grievance form online at www.tufts.edu/o eo.

Timeframes for Filing an OEO Grievance.

Staff/Faculty

The grievance must be filed within:

180 days of the incident(s) giving rise to the complaint. The University may extend this period if it finds that there are extenuating circumstances.

Student

The grievance must be filed within:

365 days of the incident(s) giving rise to the complaint. The University may extend this period if it finds that there are extenuating circumstances.

The OEO Grievance Process

Staff/Faculty

If the Respondent is a staff member, administrator or faculty member, the person with whom the grievance is filed, if other than the Director of OEO, will notify the OEO Director of the complaint within five (5) working days of receiving the written grievance.

The Director of OEO (or his/her designee), upon receiving the grievance, will notify the charged party of the allegations and request that he/she submit a written response to the charges within seven (7) working days.

Upon receiving the written response from the Respondent, the OEO Director (or his/her designee) will attempt to resolve the situation through discussion, investigation, hearing or other steps that he/she feels are necessary. Both the Complainant and the Respondent will be notified by the OEO Director (or his/her designee) that the investigation has concluded and may be informed of any action to be taken.

Student

If the Respondent is a student and it is a student-on-student allegation, the grievance will be processed according to the student's specific school/college disciplinary procedure.

If Respondent is a student and it is other than a student-on-student allegation, the process is the same as for staff/faculty.

Investigation by Panel

At the discretion of the OEO Director, an investigation by a panel may be instituted.

Conclusion of an Investigation

The University will strive to conclude the investigation within thirty (30) working days (or within the constraints of the academic schedule for investigations involving students) from the date the original OEO grievance was filed. The time limits mentioned throughout this brochure are intended as reasonable amounts of time for specific activities to occur. The appropriate University officials may adjust the time lines to account for extenuating circumstances, in order to ensure a fair and equitable process for all parties.