

Guidance on Discrimination/Harassment

Supervisor and Faculty obligations:

1. Read and familiarize yourself with the NMSU policy/procedures under Chapter 3.25 Discrimination, Harassment and Sexual Misconduct on Campus.
2. Abide by the rules of the policy and don't engage in any behavior that could be considered harassment or a violation of the policy.
3. Administer and enforce the policy with the employees you supervise and with third parties your employees interact with in the course of performing their jobs. Faculty have responsibility for students in the academic area.
4. Serve as a role model for the people you supervise:
(For faculty this applies in the academic area)
 - a. Never tell jokes or send e-mails that relate negatively to the protected categories.
 - b. Don't date employees/students under your supervision.
 - c. Avoid any sort of involvement with employees/students that might be interpreted as improper.
 - d. Avoid creating the perception that you favor a particular employee/student.
5. Every supervisor/faculty has the legal obligation to receive complaints of harassment. If any employee/student brings a harassment situation to your attention, you must receive the complaint. Information you gather should include the "who, what, when and where" of the incident/situation. Then refer to Office of Institutional Equity at 646-3635 (O'Loughlin House).
6. If you receive a complaint, it is not appropriate for you to express strong, personal comments to the complainant, other employees, or third parties. Avoid making any final or legal sounding judgments to the complainant. Assure the complainant that the matter will be looked into and seek advice.
7. When it comes to behavior between co-workers, an employer is liable for the acts of harassment in the workplace that the employer "knew or should have known" about. However, if the employer is aware of harassment involving co-workers, liability may be avoided if it can be shown that immediate and appropriate corrective action was taken. The "should have known" part of the standard implies that a primary function of a supervisor is to continually monitor the mood and conditions in the workplace.