

Discrimination and Harassment

Supportive resources for managers and leaders

In any workplace, fostering an environment of respect, inclusivity, and equality is paramount to ensuring the well-being and productivity of all team members. However, despite our best efforts, instances of discrimination and harassment can arise, disrupting the harmony within our organizations. As leaders, it is our responsibility to address these challenges promptly, effectively, and with utmost sensitivity. This guide will provide managers and leaders with the necessary tools, insights, and strategies to navigate challenging conversations, fostering a workplace culture where every individual feels valued, respected, and empowered to thrive.

- According to the U.S. Equal Employment Opportunity Commission (EEOC), there were 67,448 charges of workplace discrimination filed with the agency in 2020.
 - A meta-analysis published in the Journal of Occupational Health Psychology in 2021 concluded that experiencing discrimination at work was significantly associated with higher levels of depression, anxiety, and stress among employees.
 - The EEOC estimates that 75% of workplace harassment incidents go unreported.
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Discrimination and Harassment Key Terms

Discrimination is unfavorable or unfair treatment of a person or class of persons based on a protected class or characteristic.

Harassment is unwelcome conduct that is serious enough to significantly interfere with an individual's work, education, living conditions, or participation in university programs and activities based on a protected class or characteristic.

Microaggressions are everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon a marginalized class or characteristic.

Retaliation includes works or action taken against an individual because of their participation in a protected activity, such as reporting harassment, which would discourage a reasonable person from engaging in the activity.

Stereotype is any thought widely adopted about specific types of individuals or certain ways of behaving intended to represent the entire group of those individuals or behaviors as a whole; These thoughts or beliefs may or may not accurately reflect reality.

Discrimination and harassment can happen at any time and **come from anyone in the workplace**—a supervisor, co-worker, client, or customer, or even someone who isn't an employee. Below are **common forms of discrimination and harassment** in the workplace and **examples** of how discrimination and harassment might present.

Race	Definition Treating someone unfavorably because they are of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features)
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Displaying racist symbols on or offline • Mocking a person's accent • Telling derogatory jokes or using racial slurs • Expressing general intolerance toward any particular racial group
Disability	Definition Unwelcome and offensive workplace conduct based on a person's disability.
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Using slurs, making inappropriate jokes • Excluding employees from certain work-related functions • Overlooking an employee for a task or position due to assumptions about their ability to manage the responsibility.
Gender and Sexual Orientation	Definition Gender discrimination happens when someone is treated unequally or disadvantageously based on their gender, gender identity, or gender expression. (ex. male, female, non-binary) Discrimination based on sexual orientation is being treated differently or harassed because of your real or perceived sexual orientation. (ex. bi-sexual, lesbian, transexual, etc.)
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Asking someone inappropriate questions about their sexual orientation • Initiating or engaging in gossip regarding someone's sexual orientation • Negative expressions towards those who do not conform to traditional gender norms. • Making distasteful references, slurs, and offensive language
Age	Definition Bias against, discrimination towards, or bullying of individuals and groups based on their age, younger or older.
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Being bypassed for an opportunity due to unfairly criticized limited skills • Being deliberately excluded from work events, discussions, or assignments • Receiving negative remarks or insults regarding generational gaps

Compensation	Definition When employees performing substantially equal work do not receive the same pay for their work because of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, disability, age (40 or older), or genetic information.
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Male employees being paid more than female employees with similar skills and qualifications • Employees of a particular race being paid less than employees of another race with similar performance evaluations
Personal	Definition Bullying, ostracizing, shunning, and other forms of uncivil conduct toward an employee
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Intentional embarrassment • Being shamed for their personal beliefs • Being purposely intimidated
Religion	Definition: Treating a person or a people unfavorably because of their religious beliefs.
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Stereotyping based on religion • Intolerant comments regarding religious holidays, traditions, customs, or apparel • Pressure to convert
Parental Status	Definition To deny employment or promotions, harass, pay less, or otherwise take negative employment action against an employee because of the employee's status as a parent, or as a single or married person because of their family or childcare obligations
	This type of harassment in the workplace may consist of: <ul style="list-style-type: none"> • Being inflexible about work schedules for parents who have childcare needs but being more flexible about nonparents' schedules • Transferring someone to a different job that pays less because they had a baby • Holding parents to harsher standards than non-parents

It is **crucial** for managers and leaders to handle discrimination and harassment situations effectively. **Knowing how to respond** to claims ensures concerns are addressed fairly and in line with our VUMC Credo, **protecting everyone's rights and dignity**. We understand managers and leaders may sometimes be unsure of what to do, so we are sharing common scenarios to provide guidance. This preparation helps **create a respectful and inclusive workplace** where all individuals feel valued and supported.

Six things you can do to prevent harassment and discrimination

1. **Educate yourself and others.** Familiarize yourself with the language, concepts, trends, laws, regulations, and company policies concerning workplace harassment and discrimination. See resources below.
2. **Treat all complaints seriously, consistently, and confidentially.** Intentional and prompt responses send the message that you value the concerns being raised. Be objective and treat all parties involved with care and respect.
3. **Create accountability measures.** Set clear, consistent, and measurable metrics to hold the work and people accountable. Regularly check in with all parties if an incident has occurred.
4. **Build a culture of respect.** Be open to the needs, interests, and feelings of others. Create a space where colleagues can share their thoughts without fear of retaliation.
5. **Enforce policies.** Ensure you are following standard operating procedures.
6. **Avoid retaliation.** Inform employees that retaliation is illegal and will not be tolerated.

WHAT IF...

YOU ARE UNCOMFORTABLE TALKING ABOUT HARASSMENT AND DISCRIMINATION?

Seek support from HR. Learn about the issues so you are better prepared to have these important conversations. Remember, discrimination and harassment are serious and often carry legal consequences. Doing nothing is not an option.

- Video: [Having Difficult Conversations](#)

YOUR TEAM IS RESISTANT TO THE CONVERSATION?

Seek to understand why they are resistant. Clearly communicate the importance of a respectful workplace and the benefits of inclusivity. Here are some resources and strategies to help engage in open dialogue.

A TEAM MEMBER
EXPRESSES FEAR OF
RETALIATION FOR
SPEAKING UP?

Assure them of confidentiality and emphasize the organization’s policy on retaliation. Review the policy [HERE](#)
“In compliance with the law, VUMC does not retaliate against individuals for 1) filing or encouraging one to file a complaint of unlawful discrimination or report of illegal activity, 2) participating in an investigation of unlawful discrimination, or 3) opposing unlawful discrimination.” (see policy for additional information)

A CLAIM IS BROUGHT
TO ME?

Listen carefully, document the details, and assure the individual is safe. Discuss reporting options and allow the individual to decide how they wish to proceed with reporting. Remember, not reporting is a valid option. If decided, report the claim promptly. (see *reporting options in the resource section below*)

CLAIM IS BROUGHT
AGAINST ME?

Cooperate fully with the investigation, maintain professionalism, and seek advice from HR. Respect the process and ensure transparency.

I WITNESS THE
INCIDENT?

Intervene if safe to do so, support the victim, document the incident, and report it to HR. (*see reporting options in the resource section below*) Follow up with HR to ensure appropriate action is taken.

THE VICTIM CHOOSES
NOT TO PURSUE A
COMPLAINT?

Respect their decision, provide them with resources and support, and monitor the situation to prevent recurrence. Encourage them to reconsider if they feel safe.

I BECOME AWARE VIA
INFORMAL
CHANNELS?

Treat the information seriously, gather as much detail as possible, and report it to HR (*see reporting options in the resource section below*) Ensure confidentiality and sensitivity in managing the matter.

ADDITIONAL RESOURCES

Training

Request Training with the Office of Diversity and Inclusion [HERE](#)

- Microaggression
- Identity, Power, and Privilege
- Psychological Safety

Policies

[Anti-Harassment, Non-Discrimination, Anti-Retaliation Policy](#)

Reporting Options

VUMC employees can submit an anonymous complaint through [WorkDay Help](#)

Students and residents: [RISE](#)

Clinical staff: [Veritas](#)

Consultation

To schedule a consultation to determine training needs and next steps, email dei@vumc.org.