

New Mexico State University

POLICY STATEMENT ON EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

New Mexico State University is dedicated to providing equal employment opportunities in all areas of occupation without regard to age, ancestry, color, mental or physical disability, gender, gender identity, serious medical condition, national origin, race, religion, sexual orientation, spousal affiliation or veteran status, according to state and federal laws. This dedication extends to recruiting and hiring, promotion, and other human resource actions such as compensation, benefits, transfers, layoffs, terminations, training, education, tuition assistance, social and recreational programs. NMSU's comprehensive affirmative action program supports this effort. While employees are encouraged to resolve personnel issues through discussion with the immediate supervisor(s), all discrimination matters are to be reported to the Institutional Equity Director immediately. There may be occasions when disputes may be resolved at the departmental level without direct involvement of the Institutional Equity Office; however, the Institutional Equity Director is to be consulted to ensure consistency. Employees shall be free to discuss matters with the Institutional Equity Director and file grievances without fear of reprisal.

The New Mexico State University Affirmative Action Plan is available upon request by contacting the Institutional Equity Office at 575-646-3635 or the Human Resources Office at 575-646-8000.

Hostile Work/Academic Environment: A student or employee may file a claim based on offensive conduct or behavior that is sufficiently severe and/or pervasive to create a hostile work or academic-related environment.

Discrimination-Based Harassment: The University prohibits any unlawful practice of harassment in work or academic environments based on an individual's age, ancestry, color, mental or physical disability, gender, gender identity, serious medical condition, national origin, race, religion, sexual orientation, spousal affiliation, or veteran status. Any supervisor who engages in or condones any harassment of an employee/student based on discrimination will be sanctioned accordingly. All discrimination-based harassment, including third-party complaints, must be reported to the Institutional Equity Office immediately.

Retaliation: The university prohibits any unlawful practice regarded as retribution or intimidation against any university employee or student who has in good faith: (a) opposed any discriminatory or employment practice covered by university policies/procedures or state/federal laws; (b) filed a complaint of discrimination or grievance with the Institutional Equity Office or external state/federal agency with statutory jurisdiction over discrimination filings; (c) reported a discriminatory matter to a supervisor matter to a supervisor; or, (d) testified, assisted with, or participated in an investigation, proceeding, or hearing protected under same. Such retaliation in and of itself may result in disciplinary action, up to and including termination.

Grievances: Any person with a sexual harassment or discrimination complaint should (whenever feasible) first approach the person or persons engaging in the inappropriate conduct and indicate that the conduct is unwelcome. If the inappropriate behavior persists, the aggrieved would either report the complaint to the appropriate supervisor or the Institutional Equity Director. All discrimination complaints must be reported to the Institutional Equity Director at the O'Loughlin House immediately, regardless of whether or not permission was given by the party subjected to the discrimination. Discrimination grievances are to be filed within 15 working days after the occurrence or within 5 working days following the informal complaint process, unless extenuating circumstances warrant exception. All employees and students should be aware that the university is prepared to take action in a timely matter to prevent and remedy such behavior, and that individual(s) who engage in such behavior are subject to disciplinary action. All individuals are required to cooperate with any investigation in response to an allegation of unlawful harassment. Refusal to cooperate in an investigation may result in disciplinary action in accordance with university policy. Any disciplinary action may be appealed through the appropriate procedure. To the extent possible, every effort will be made to safeguard confidentiality, consistent with reporting obligations and the need to investigate promptly and thoroughly. Individuals should contact the following office for clarification or assistance:

Institutional Equity Office:	(575) 646-3635	Fax: (575) 646-2182	TDD/TTY: (575) 646-7802
ADA:	(575) 646-3635	Fax: (575) 646-2182	TDD/TTY: (575) 646-7802
Human Resources Office:	(575) 646-8000	Fax: (575) 646-2806	TDD/TTY:

With the commitment of us all, we will continue to make progress toward NMSU's goal of including qualified minorities, women, and persons with disabilities at every level of responsibility and endeavor in the university.

Michael Martin, President
May 5, 2006

Live, Learn and Thrive.

