



UIC POLICY

Policy Number: OAE-1100-003

Policy Title: Prohibition of Retaliation Following Claims of Unlawful Discrimination

Vice Chancellor/Associate Chancellor: Office of the Chancellor

Unit Responsible for Policy: Office for Access and Equity

Effective Date: January 25, 2017

Contacts: Associate Chancellor, Office for Access and Equity

Policy Statement: UIC is committed to providing an educational and work environment that is free from all forms of retaliation. UIC prohibits and will not tolerate retaliation against any employee or student who brought a claim of discrimination, participated in an investigation, proceeding or hearing concerning a claim of discrimination, or who in good faith has opposed a practice he or she reasonably believes constitutes prohibited discrimination. UIC will take prompt and fair action to eliminate such retaliation. The Office for Access and Equity has the authority to conduct investigations to determine when there have been violations of this policy and then make recommendations in accordance with the relevant University policies prohibiting discrimination and harassment.

Retaliation occurs when an employer or someone acting on behalf of the employer takes a materially adverse action against an individual in or outside of the workplace because the individual engaged in protected activity. Retaliatory actions may include: termination, demotion, reprimands, or threats; negative performance appraisals; changes in working conditions; reductions in compensation or status; or exclusion from participating in activities that contribute significantly to professional or educational advancement that otherwise would be available. Retaliatory actions may also include making false reports to government authorities, filing a civil action, requiring re-verification of work status, or taking adverse action against a close family member.

To be a violation of this policy, the retaliatory action must be one that has or could have the effect of deterring a reasonable employee from engaging in a protected action. Retaliation does not include ordinary, petty slights and annoyances.

Reason for Policy: To ensure that UIC is compliant with federal and state laws related to retaliation and retaliatory discrimination. This policy codifies the existing guidelines on prohibited retaliation and mandates that University employees and students do not engage in retaliation.

Minority Impact Statement: The policy does not have any disproportionate or unique impact on UIC's minority students, staff, or faculty.

Who Should Read the Policy: All students, faculty, and staff at UIC.

Definitions:

- **Materially adverse actions:** The EEOC defines materially adverse retaliatory actions to include: denial of promotion, refusal to hire, denial of job benefits, demotion, suspension, and discharge; work-related threats, warnings, or reprimands; negative or lowered evaluations; and transfers to less prestigious or desirable work. Retaliation may also include making false reports to government authorities, filing a civil action, requiring re-verification of work status, or taking adverse action against a close family member.
- **Protected activity:** The EEOC defines protected activity as filing formal or informal allegations of EEO violations, serving as a witness or participating in investigations, or exercising rights, such as requesting religious or disability accommodation.
- **Retaliation:** The EEOC defines retaliation as any action that is materially adverse that may deter a reasonable person from engaging in protected activity.

Procedures [URL]: Procedures, reporting options, and resources are outlined on the UIC Office for Access and Equity website: <http://oae.uic.edu/UnlawfulDiscrimination/Policies.htm>. For all other forms of retaliation, please refer to Section 9.5-9.6 – Reporting Fraud or Misconduct, Whistleblower Protection, and Investigations at <https://www.obfs.uillinois.edu/bfpp/section-1-intro-business-financial-functions/reporting-fraud-misconduct-whistleblower/>.

Forms: N/A

Related Laws, Regulations, Statutes, and Policies: Title IX of the Education Amendments Act of 1972 (“Title IX”), Title VII of the Civil Rights Act of 1964 as amended (“Title VII”), 2013 VAWA amendments to the Clery Act, the Clery Act, the Illinois Preventing Sexual Violence in Higher Education Act, the Illinois Human Rights Act, and related UIC and University of Illinois policies.

Document History:

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