



OPHD E-news

Winter 2016

An update on bias, harassment, and discrimination issues from the
Office for the Prevention of Harassment & Discrimination (OPHD)

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LIFE THEATRE SUPERVISOR TRAINING ON APRIL 5 FROM 11 AM – 1 PM

The Emmy Award winning acting group, Life Theatre, will be on campus on April 5 from 11 am to 1 pm at the Price Center East Forum. Supervisors may satisfy the mandatory sexual harassment prevention training requirement by attending this program. You may register at UC Learning, <http://uclearning.ucsd.edu>. Don't miss this very popular, interactive program!

NEW SEXUAL VIOLENCE/SEXUAL HARASSMENT POLICY AND REQUIRED TRAINING

The UC Office of the President has updated the system-wide Policy on Sexual Violence and Sexual Harassment as of January 1, 2016. The new policy incorporates several changes recommended by the UC Task Force on Sexual Violence and Sexual Assault, and mandates annual training on sexual violence and sexual harassment for all UC faculty, staff and students. Faculty and supervisors will receive new, updated content in their mandatory two hour sexual harassment training; non-supervisory staff, including student employees, will be required to take an online video-based training that must be completed by April 29, 2016. The new policy also redefines the meaning of "responsible employee" and mandatory reporting of sexual harassment and sexual violence involving students. All UC employees are now required to notify the Title IX office – The Office for the Prevention of Harassment & Discrimination at UC San Diego—when they receive information from students about an alleged violation. At UC San Diego, CARE at SARC (Sexual Assault and Violence Prevention Resource Center) is a confidential resource available 24/7 for students, staff and faculty seeking assistance surrounding harassment, sexual assault and relationship violence. CARE at SARC can be reached at (858) 534-5793 or through UC Police at (858) 534-HELP during off hours.

EEOC RELEASES 2015 EMPLOYMENT DISCRIMINATION DATA

On February 11, 2016, the Equal Employment Opportunity Commission (EEOC) released its statistics for [employment discrimination claims received in 2015](#). The agency reported that disability discrimination claims increased from the previous year by six percent to become the third highest number of claims (26,968) behind retaliation (31,027) and race claims (31,027).

The agency received 92,641 charges in fiscal year 2015, and secured more than \$525 million for victims of discrimination in private sector and state and local government workplaces through voluntary resolutions and litigation. The EEOC commemorated its 50th anniversary on July 2, 2015. Among the notable updates in 2015: In the [Abercrombie case](#), the Supreme Court held that an employer may not make a job applicant's religious practices a factor in employment decisions, even if the employer only suspects the practice is religious in nature. In addition, the EEOC's updated [pregnancy guidance](#) ensures that employers make reasonable accommodations for pregnant women who need them to keep working.

DFEH ISSUES NEW GUIDANCE FOR CALIFORNIA EMPLOYERS ON TRANSGENDER EMPLOYEES

The California Department of Fair Employment and Housing (DFEH) issued [new guidance](#) for California employers on February 17, 2016. The guidance makes clear that employers must allow all employees to use restrooms, locker rooms, showers and other such facilities that correspond with their gender identity. It also suggests that providing individual or unisex facilities may increase the privacy for all employees. The DFEH guidance is in line with an EEOC decision of April 2015 holding that employers that fail to properly accommodate transgender individuals in the workplace may be engaging in sex, gender, gender identity and gender expression discrimination. The DFEH is the state agency in charge of enforcing California civil rights laws.

DID YOU KNOW?

State Senator Isadore Hall III [introduced a bill](#) on February 17, 2016 to end wage discrimination based on race or ethnicity, building on the [California Fair Pay Act](#) signed by Governor Brown in 2015 that expanded rights for gender pay equity in the state. The bill, SB 1063, is the first of its kind in the nation and would explicitly prohibit employers from paying lower wages to minority employees compared to white employees when performing “substantially similar” work. It would also provide protections to workers who ask for salary information from employers or co-workers by banning retaliation, though it does not require an employer to provide salary comparisons.

BE THE VOICE—REPORT BIAS

OPHD oversees the UC San Diego online bias reporting system. All members of the UC San Diego community may report bias-motivated incidents or other acts of intolerance to reportbias.ucsd.edu or ophd@ucsd.edu. Be The Voice—Report Bias.

OPHD IS ABOUT SOLUTIONS.

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