Sex discrimination in its many forms and contexts can be difficult to explain and difficult to understand.

Here’s a simple definition. Sex discrimination occurs when someone is treated unfavorably because of that person’s actual or perceived sex, gender identity or expression, or sexual orientation.

It isn’t just about male and female; it can occur between two or more people with the same or different characteristics.

It’s important to note that sex discrimination can be based on a number of factors. These include:

“Sex” - that is the physical sex characteristics you’re born with and develop;

“Gender identity and expression” - that is how you identify and present yourself through actions, dress and demeanor - and how these do or don’t align with gender norms, or with your biological sex.

“Sexual orientation” describes the emotional, romantic or sexual attraction you feel toward women, men or both sexes.

You might describe yourself as straight or identify as lesbian, gay, bisexual, trans or queer - often referred to as LGBTQ. Queer can refer to gender identity and expression, or to sexual orientation.

People at the intersections of identify - a queer woman of color or a visually-impaired gay man, for example - can and do experience discrimination and harassment in interwoven and complex ways.

What does sex discrimination look like?

Not hiring or promoting someone because of their gender can be sex discrimination. Acting on a belief that women are more suitable for certain jobs or fields of study, or that a man’s role as husband, partner or father justifies a higher salary, can be sex discrimination. Setting different performance standards for employees because of gender or providing different work assignments or opportunities can be sex discrimination.
Sex discrimination can occur in any employment context: this includes decisions about hiring, firing, pay, job assignments, promotions, layoff, training, benefits, and any other term or condition of employment.

In the academic context, it could include decisions about recruiting, admissions, retention, or access to resources.

Discrimination due to pregnancy is also a form of sex discrimination. This could include firing someone or not hiring them at all, or discouraging participation in an assignment, project, or class due to pregnancy.

Sexual harassment is a form of discrimination, and includes unwelcome conduct of a sexual nature.

It is conduct that an individual did not invite and that adversely affects the employment or academic experience, or creates an intimidating, hostile, or offensive work or learning environment.

Although there is no definitive list of behaviors that constitute sexual harassment, examples include:

Physical contact, such as touching, hugging, blocking someone’s way or other violations of personal space.

Verbal behaviors, such as jokes, slurs, innuendos or comments which mention or imply sexual behavior or sex. This includes repeated requests for dates or requests to engage in sexual activity.

Non-verbal behaviors, such as suggestive looks, gestures, or staring.

Displaying, showing, or sending suggestive pictures, images or text. This includes in-person or electronic communication methods, such as text messages, social media posts, or emails.

Extreme forms of sexual harassment include sexual assault and stalking; as well as relationship, domestic or intimate partner violence.

Gender-based harassment can include any of these behaviors but may not be sexual in nature.

These basic definitions and examples are useful as a starting point. However, sexual harassment is complex so it’s important to understand the nature and circumstances of such conduct.

The more severe the conduct, the fewer number of times the behavior must occur to be considered harassment. For example, a single incident - such as one act of sexual violence - could be sufficiently severe. On the other
end of the spectrum, a pervasive pattern of jokes or comments can amount to harassment.

Although the effects of sexual harassment are usually negative and unwelcome, sometimes a promotion, a desirable work assignment, or an opportunity to conduct field work is offered in exchange for a sexual act or relationship.

This offer of favorable treatment, whether accepted or not, is still sexual harassment.

Situations involving favorable treatment can arise when there is a real or perceived power differential in the relationships, for example: between a senior and junior faculty member, a supervisor and a subordinate, or a teaching assistant and an undergraduate.

If sexual harassment is unwelcome conduct, then what about when the conduct is welcome? Even consensual relationships that begin in the workplace, classroom or lab can be a problem.

An employee who engages in a romantic or sexual relationship with a student or colleague can create a conflict of interest, either actual or perceived.

The romantic or sexual relationship can cloud professional judgment and decision-making, for example when evaluating academic status or progress, or providing career references for a student, or when hiring, evaluating or promoting an employee.

Sexual harassment can also occur when employees and students are outside the workplace, lab or classroom – at conferences, trainings, social events – in service learning, study abroad or fieldwork experiences.

At the University of Washington, students and employees often work together in remote or challenging locations. Intense working conditions, limited external communication, social isolation, and different cultural norms in foreign locations might create an environment where sexual harassment can and does occur.

Given the complexity of situations where sexual harassment can occur, how do we know when it might actually be happening?

If you notice a change in someone’s behavior – avoiding certain colleagues, not engaging in workplace activities or academic functions, calling in sick more frequently or not coming to work or class at all, these can be signs of a problem.
You may be thinking – if someone was uncomfortable or offended, wouldn’t they say something?

Maybe. While a person who has experienced harassment certainly can say something to the individual responsible for the behavior or unwelcome conduct, that person is under no obligation to do so.

There are reasons why someone might not speak up.

A power imbalance might make them afraid that speaking up would adversely affect their career opportunities.

If the conduct is part of the work or learning environment, they may remain silent or play along just to fit in.

They may fear retaliation for raising a concern or reporting the behavior, or

They may believe that nothing will be done if misconduct is reported.

If confronted, people engaging in harassing behavior might say things like “lighten up” or “I was just teasing” – “if you want to make it in this job, you’re going to have to toughen up,” or “don’t be so sensitive.”

Nevertheless, such behavior can have a real and adverse effect -- on the person experiencing it, as well as on others who may overhear or witness the conduct. Even if there was no intent to harass or discriminate, the comments or behavior may still create an intimidating, hostile, or offensive environment.

So what can we do about sex discrimination and sexual harassment? Each of us can make a difference. We demonstrate who we are as a community, and who we are as individuals.

When we speak up and engage, or challenge someone who is behaving in a discriminatory or harassing manner.

When we acknowledge that each of us may sometimes behave in a way that is unwelcome or offensive to others, either intentionally or unintentionally.

When we listen, and are receptive to hearing and learning about the experiences of others – especially when they differ from our own. In the same classroom or workplace, one person’s experience may vary greatly from another’s.

These conversations or self-reflections can be difficult, awkward, and challenging. However, they are a critical way that we – individually and
collectively - can address the culture of sexual harassment and sex discrimination.

Individual action can make a real difference. Some situations, however, demand the University’s intervention.

The University supports a working and learning environment free from discrimination and harassment.

There are federal and state laws that prohibit sex discrimination and sexual harassment.

These include Title VII of the Civil Rights Act, Title IX, and the Washington State Law Against Discrimination.

The University has incorporated the mandates of these and other federal and state laws into policies that prohibit sex discrimination and sexual harassment. Those policies apply to University programs and activities on the Seattle, Tacoma and Bothell campuses - as well as any other place such programs or activities occur.

When employees or students have experienced sex discrimination or sexual harassment, the University encourages reporting so that it can respond. There are offices dedicated to receiving reports and investigating allegations of discrimination and harassment.

These are the University Complaint Investigation and Resolution Office, often referred to as UCIRO, and the Title IX Investigation Office. Reports can also be made to local or central Human Resources offices.

When a report about sex discrimination or sexual harassment is made to the University, an intake and assessment will determine whether an investigation should be launched. If a formal investigation finds a person responsible for conduct that violates University policy, corrective or disciplinary action may result, including termination of employment or dismissal from educational programs.

Disciplinary action is governed by the policies relevant to the individual, for example, the faculty code, student conduct code or a union contract.

At any point during or after an assessment or investigation, retaliation may be a concern. Retaliation is adverse action against an individual because they have made a report or participated in an investigation. Retaliation is prohibited by University policy.
Retaliation can include unwarranted corrective action, a negative performance evaluation, or even being fired;

unfair treatment in a class or lab, or an unearned poor grade or academic evaluation;

treating the affected individual in a hostile manner, or encouraging others to do so.

Retaliation can occur in person, or involve the use of social media or other electronic communication.

Even if an investigation of the original complaint concludes that the conduct did not violate University policy, an individual can still be held accountable for retaliation.

Third parties who were not involved in a situation leading to a complaint can also be found responsible for retaliatory acts.

At any point in the intake or investigation process, interim measures may be implemented to protect and support the person affected by the behavior, with the goal of preventing ongoing or repeat misconduct. Interim measures may include developing a safety plan to help minimize or avoid contact with another person in university classes, housing, activities, programs, or the workplace.

There are many resources available to support students and employees who have experienced discrimination or harassment. Here are a few starting points:

Confidential advocates offer free services to any member of the University community affected by sex discrimination or sexual harassment. Anything you discuss with an advocate remains confidential unless and until you decide otherwise.

At a meeting with a confidential advocate you can share as much or as little information as you are comfortable with;

you can learn about common reactions to sexual assault, sexual harassment, and related trauma;

you can discuss how to practice self-care and heal through counseling, support groups and other resources;

you can discuss reporting options and request interim measures;

and you can learn about other available resources in your local community.
SafeCampus is the central office designated to provide support to employees and students with concerns about their own safety or the safety of others.

SafeCampus operates a helpline available to University community members wherever they are located – 24 hours a day, 7 days a week. Response specialists can address concerns regarding sex or gender-based harassment, sexual assault, domestic or intimate partner violence, and stalking as well as any threat to personal safety.

The University’s Title IX Coordinator can assist members of the University of Washington community with concerns or inquiries regarding any Title IX-related matter.

Resources are also offered to those who have been accused of discrimination or harassment.

The University’s discrimination website provides information on these and other resources, as well as additional details about reporting options, and information on how to support a student, colleague, friend or loved one who has experienced sex discrimination or sexual harassment.

Sex discrimination and sexual harassment aren’t just abstract concepts; they happen to people every day. People you know, people you pass by or sit next to in a classroom, workplace or lab.

While the University of Washington maintains policies and processes to address misconduct, you and every member of the University community can do something to stop sex discrimination and sexual harassment.