

2018-19 Case Report

(September 2018 through August 2019)

Job Accommodations under the Americans with Disabilities Act (ADA):

During the reporting period, IE coordinated the purchase or implementation of ADA job accommodations for 12 employees. ADA cases are considered open until the individual is no longer affiliated with the University.

Prohibited Harassment, Discrimination, Formal Agency and Retaliation Cases

During the reporting period, IE received and responded to complaints based on race, disability, gender, age and national origin. IE also responded to complaints filed with external enforcement agencies. There were no reports or cases of prohibited harassment or discrimination on the basis of color, religion, marital status, protected veteran status, height or weight.

As indicated in Table 1, the majority of the cases (n=37) involved reported incidents/claims of race (n=12), disability (n=12), Gender (n=4), Age (n=3) and National Origin (n=2) based discrimination or harassment. IE was able to resolve and close the race, disability, gender, age and national origin cases internally through investigations or consultations. In addition, IE responded to complaints from the Equal Employment Opportunity Commission (n=3), and the Michigan Department of Civil Rights (n=1). These cases were either closed or are pending agency response.

Table 1. Prohibited Harassment, Discrimination, and External Agency Cases (excluding Sexual Misconduct)

Basis of Discrimination or Harassment	Reported Incidents/Claims	Outcome
Race	12	8 Consultations 4 Informal Resolution
Disability	12	5 Informal Resolutions 5 Consultations 2 Not responsible for a policy violation
Gender	4	3 Consultations 1 Informal Resolution
Age	3	2 Consultations 1 No Policy Violation
National Origin	2	1 Informal Resolution 1 No Policy Violation
External Agency (EEOC, MDCR)	4	3 Dismissed 1 Pending
Color, Height, Marital status, Protected veteran status, Religion, or Weight	0	N/A

Table 2. Sexual Misconduct Cases

Sexual Misconduct	Reported Incidents	Outcome
Harm to Others	0	
Intimate Partner Violence-Relationship	8	5 Closed After Assessment - Respondent not Affiliated with WMU 2 Closed After Assessment - Complainant Declined Participation 1 Responsible for Policy Violation (Sanction: Pending)
Intimate Partner Violence-Dating	4	3 Closed After Assessment - Respondent not Affiliated with WMU 1 Closed After Assessment - Complainant Declined Participation
Intimate Partner Violence-Domestic	3	2 Closed After Assessment - Complainant Declined Participation 1 Closed After Assessment - Respondent not Affiliated with WMU
Non-consensual Sexual Contact	13	6 Closed After Assessment - Complainant Declined Participation 3 Responsible for Policy Violation (Sanction: Probation, Housing Probation, Behavior Contract. All received additional sanctions.) 1 Closed After Assessment - Anonymous Report 1 Closed After Assessment - Respondent not Affiliated with WMU 1 Closed After Assessment - Unknown Respondent 1 Not Responsible for Policy Violation
Sexual Assault	28	9 Closed After Assessment - Complainant Declined Participation 8 Closed After Assessment - Respondent not Affiliated with WMU 3 Closed After Assessment - Anonymous Report 3 Closed After Assessment - Unknown Respondent 3 Not Responsible for Policy Violation 1 Closed After Assessment - Insufficient Information 1 Responsible for Policy Violation (Sanction: Expulsion)
Sexual Harassment	9	4 Informal Resolutions 2 Closed After Assessment - Anonymous Report 1 Closed After Assessment - Respondent not Affiliated with WMU 1 Closed After Assessment - Unknown Respondent 1 Responsible for Policy Violation (Sanction: Disciplinary notice and subsequent voluntary retirement)
Sexual Exploitation	3	1 Closed After Assessment - Respondent not Affiliated with WMU 1 Closed After Assessment - Unknown Respondent 1 Closed After Assessment - Complainant Declined Participation
Stalking of a Sexual Nature	2	1 Closed After Assessment - Complainant Declined Participation 1 Informal Resolution
Total Sexual Misconduct Incidents:	70	
Sexual Misconduct Consultation	63	Inappropriate behavior reported as a form of sexual misconduct that, upon review, is one or more of the following: 1) lower level concerns that can be addressed through discussions with IE staff 2) lower level concerns that can be addressed through intervention of individuals in the environment (i.e. supervisor, faculty, residence hall staff) 3) other forms of harassment or bullying that are not covered under the sexual misconduct policy
Total Incidents:	113	