

## Compliance Alerts! University Policy Prohibits Retaliation

The [Unlawful Discrimination, Harassment and Retaliation](#) policy prohibits retaliation against individuals for reporting alleged violations of federal law or for cooperating in the University's investigation of alleged violations of federal law.

According to the [Equal Employment Opportunity Commission](#) retaliation occurs when employers treat applicants, employees or former employees, or people closely associated with these individuals, less favorably for:

- reporting discrimination
- participating in a discrimination investigation or lawsuit (for example, serving as a witness), or
- opposing discrimination (for example, threatening to file a charge or complaint of discrimination).

The [Unlawful Workplace Harassment](#) policy protects State employees from retaliation based on opposition to unlawful workplace harassment. Retaliation is defined as any adverse action taken against an individual for:

- filing a discrimination charge: or
- testifying, or participating in any way in an investigation, proceeding, or lawsuit related to discriminatory employment practices which are considered unlawful workplace harassment or because of opposition to employment practices in violation of the unlawful workplace harassment policy.

[NC General Statute §126-84](#) prohibits retaliation against State employees that report improper government activities.

**Retaliation is a *materially adverse* action taken *because of* an individual's report, complaint, or participation in an investigation. The following are examples of retaliation.**

- Intimidation, threats or coercion
- Adverse educational or employment actions
- Hostile work environment
- Other adverse actions that would deter a reasonable person from reporting alleged violations

*Inconveniences, minor annoyances or changes are not necessarily materially adverse actions. Each situation must be individually reviewed based on the relevant facts and circumstances.*

### Tips for Preventing Retaliation

- Do not discourage individuals from making reports or filing complaints.
- Maintain confidentiality of reports of discrimination or other misconduct.
- Do not threaten anyone involved in a complaint.

### Are You Retaliating?

- Analyze if you are treating the employee or student fairly and equally.
- Consider whether you treat all employees or students consistently.
- Identify any inconsistent treatment and outline specific justifications.
- Address all claims of retaliation by cooperating and being honest.
- Reassess regularly to avoid retaliation claims and mitigate risk to the university.

**Please report suspected acts of retaliation to the Fayetteville State University Office of Equity using the [Equity Intake Form](#). Contact the Office of Equity for more detailed guidance.**