Equal Employment Opportunity and Antidiscrimination Policy

Effective Date:	September 16, 2026
Supersedes:	Equal Employment Opportunity and Antidiscrimination Policy effective May 20, 2026
Policy Review Date:	To be reviewed every 3 years from effective date
Issuing Authority:	Research Foundation President
Policy Owner:	Vice President for Human Resources
Contact Information:	HRA@rfsuny.org

Reason for Policy

The Research Foundation for The State University of New York ("Research Foundation" or "RF") established this policy to provide equal employment opportunities for all Qualified Persons, to prohibit Discrimination in employment, and to promote employment opportunities through outreach programs as reflected in affirmative action plans.

Consistent with the goals and standards outlined in the Code of Conduct, the RF promotes and supports a work environment where conduct is based on mutual respect, fairness, and integrity. Employees are expected to be polite, fair, and respectful of one another and those within the communities we serve. The RF does not tolerate unlawful Discrimination, Harassment or Retaliation.

Statement of Policy

The Research Foundation is committed to equal opportunity and non-discrimination in employment for all Qualified Persons without regard to race, color, religion, sex, Gender Identity or Expression, transgender status, national origin, citizenship, age, creed, disability, veteran status, marital status, Familial Status, military status, Domestic Violence Victim status, sexual orientation, genetic characteristics/genetic information, pregnancy and pregnancy-related conditions, reproductive health decisions, prior arrest or conviction records, or any other trait protected by federal, state, or local law. This policy applies to all employment practices including hiring, advertising, recruitment, promotion, demotion or transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training and development. This policy applies to and is intended to protect all employees, applicants for employment, paid or unpaid interns, contractors, students, those with RF responsibilities, those who carry out business in the name of the RF, and third parties conducting business with the RF.

Affirmative Action Employer

As an affirmative action employer, the Research Foundation has established outreach programs to provide employment opportunities to individuals with disabilities, special disabled veterans, Vietnam Era veterans, recently separated veterans, Armed Forces service medal veterans, and other protected veterans, consistent with federal law.

The Research Foundation encourages all applicants and employees to self-identify veteran status. This information is strictly voluntary and will be kept confidential. Refusal to provide such information will not subject the applicant or employee to any adverse treatment and will only be used in accordance with government regulations.

Reasonable Accommodations

Reasonable Accommodations for Qualified Persons with Disabilities

The Research Foundation is committed to providing equal employment opportunities to Qualified Persons with disabilities. To that end, the Research Foundation will provide Reasonable Accommodations to such people during the application/hiring process or as needed to perform the essential functions of their positions, except where doing so would pose an undue hardship on the RF's business or operations. If a Qualified Person needs a Reasonable Accommodation during the application/hiring process or to perform the essential functions of their position, they must notify their local operating location's Human Resources office. The Research Foundation will engage in an interactive process with the person to develop a Reasonable Accommodation in connection with the application/hiring process or performance of the essential functions of their position. The Research Foundation retains the right to select which accommodations, if any, will be granted.

Reasonable Accommodations for Individual's Sincerely Held Religious Beliefs

The RF will also provide Reasonable Accommodations to Qualified applicants and employees with sincerely held religious beliefs and practices, except where doing so would pose an undue hardship on the RF's business or operations. If a person needs a Reasonable Accommodation for sincerely held religious beliefs, they must notify the RF campus human resources office. The RF will engage in an interactive process with the person to develop a Reasonable Accommodation that allows them to observe sincerely held religious beliefs while performing the essential functions of their position. The RF retains the right to select which accommodations, if any, will be granted.

The RF will also provide Reasonable Accommodations for attire, clothing or facial hair (e.g., turbans, headscarves, hijabs, burqas, yarmulkes, beards, etc.) worn for religious purposes for applicants and employees, except where doing so would pose an undue hardship on RF's business or operations. Special rules may apply for employees in New York City. For more information, see the Leave Administration Handbook.

Reasonable Accommodations for Pregnancy, Childbirth & Pregnancy Related Medical Conditions

The RF provides Reasonable Accommodations to Qualified applicants and employees who are pregnant, except where doing so would pose an undue hardship on the RF's business or operations. If a Qualified Person needs a Reasonable Accommodation for physical or mental limitations related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, they must notify the local RF campus human resources office. The RF will engage in an interactive process with the person to develop a Reasonable Accommodation in connection with the application/hiring process or performance of the

essential functions of their position. The Research Foundation retains the right to select which accommodations, if any, will be granted.

Reasonable Accommodations for Domestic Violence Victims

The Research Foundation will provide Reasonable Accommodations to employees who are Victims of Domestic Violence who must be absent from work to:

- Seek medical attention for injuries caused by domestic violence, including injuries to a child;
- Obtain services from a domestic violence shelter, program, or rape crisis center;
- Obtain psychological counseling related to domestic violence, including for a child;
- Participate in safety planning related to domestic violence, including relocation; or
- Obtain legal services or appear in court for domestic violence-related incidents.

A person who needs a Reasonable Accommodation for these purposes must notify the RF campus human resources office. The individual must provide advance notice where feasible. If advance notice cannot be provided, the RF may require certification of the need for leave in the form of a police report, court order, or documentation from a medical professional, advocate, or counselor. The RF will engage in an interactive process with the person to develop a Reasonable Accommodation to permit the person to be absent from work for these purposes, except where doing so would pose an undue hardship on the RF's business or operations. The RF will charge any approved leave to available paid time off. Otherwise, the time off may be unpaid in accordance with wage hour rules.

To the extent consistent with applicable law, the RF will maintain confidentiality of any information regarding an employee's status as a Victim of Domestic Violence.

Prohibition Against Discrimination, Harassment, and Retaliation

The Research Foundation prohibits employees, representatives, vendors, contractors, students, interns (paid or unpaid), those with RF responsibilities, those who carry out business in the name of the RF, and third parties conducting business with or for the RF from engaging in Discrimination, Harassment, or Retaliation. Discrimination, Harassment, or Retaliation may not occur in the performance of Research Foundation business, at a Research Foundation sponsored event, or on Research Foundation or SUNY property. Discrimination, Harassment, and Retaliation is also prohibited in remote settings, and in off-duty conduct between individuals who work together on RF business.

All employees are expected to comply with this policy and the Resolving Discrimination, Harassment, and Retaliation Complaints Procedure, to take appropriate measures to ensure that prohibited conduct does not occur, and to report any suspected policy violations to their supervisor, manager, RF campus human resources office ("RF Campus HR"), their RF Operations Manager or Deputy Operations Manager, the RF Central Human Resources Office ("RF Central HR"), the Office of General Counsel, the Office of Internal Audit, the Office of Compliance Services, anonymously through the Speak Up RF – Ethics Hotline, or through any campus office designated to handle this conduct. An employee's obligations under this Policy include reporting any violations witnessed by the employee, regardless of whether the employee was the

victim or target of the offending conduct. Employees' obligations under this Policy also include cooperating with any review or investigation into the reported conduct. The Research Foundation will take appropriate disciplinary action against any employee who violates this policy. Based upon the seriousness of the offense, disciplinary action may include verbal or written counseling, suspension, or termination of employment.

Retaliation is prohibited against an employee who reports a violation of these policies, and the RF will take interim measures, where necessary, to protect an individual who reports a violation.

If an individual feels that they have been or are subject to Discrimination, Harassment, or Retaliation in violation of this policy or if they are aware of any violation of this policy, please refer to the Research Foundation's Procedure for Resolving Discrimination, Harassment, or Retaliation Complaints immediately.

All RF supervisors and managers who receive a complaint or information about any alleged violation of this Policy or who observe or suspect conduct that may violate this Policy are required to report such conduct to their Operations Manager or designee, RF Central HR, RF Office of the General Counsel, or RF Campus HR in accordance with the RF's Resolving Discrimination, Harassment and Retaliation Complaints Procedure. The RF will enforce disciplinary actions against supervisory and managerial personnel who fail to report or who knowingly allow misconduct covered by this Policy to continue.

If an individual experiences or is aware of an incident involving Sexual Harassment, please refer to the Research Foundation's Sexual Harassment Prevention Policy immediately.

Responsibilities

The following table outlines the responsibilities for compliance with this Policy:

Responsible Party	Responsibility
RF Employees and Applicants	Follow the operating location's notification process for requesting workplace accommodation. Report incidents as outlined in the "Prohibition Against Discrimination, Harassment, and Retaliation" section above and participate in any review or investigation into the reported conduct.
Corporate Vice President for Human Resources or delegate	Maintain corporate policy and inform operating locations of updates to policy. Support corporate and local efforts to promote equal employment opportunities; Support in responding appropriately to Discrimination, Harassment, and Retaliation complaints as they arise; Train campuses on data collection for affirmative action plans, as necessary, and inform them of changes in rules and regulations.;

Responsible Party	Responsibility
Corporate Vice President for Human Resources or delegate (continued)	Prepare the annual Equal Employment Opportunity Information Report and the Federal Contractor Veterans' Employment Report; and Receive complaints of Harassment, Discrimination, and Retaliation and conduct or oversee internal investigations where appropriate.
Operations Managers and Deputy Operations Managers or delegate	Promote equal employment opportunities. Ensure the operating location properly complies with this Policy; Ensure operating location is complying with applicable affirmative action requirements; and Receive and respond appropriately to and report Discrimination, Harassment, and Retaliation complaints as they arise.
RF Campus HR or Delegate	Ensure that the operating location properly complies with this Policy; Work with employees to develop a Reasonable Accommodation in connection with the application/hiring process or performance of the essential functions of the position; and Receive and appropriately report complaints of Harassment, Discrimination, and Retaliation and conduct or oversee internal investigations where appropriate.
Supervisors and Employees	Comply with this Policy, Resolving Discrimination, Harassment, and Retaliation Procedure, and all other EEO-related policies and procedures, including but not limited to reporting any complaints, observations or suspicions of unlawful Discrimination, Harassment and/or Retaliation.

Definitions

Discrimination - treating someone less favorably based on that person's Protected Trait. Discrimination includes applying a rule or policy that disadvantages persons with a particular protected characteristic even if the rule is applied to everyone. Discrimination is prohibited in hiring, firing, compensation, training/development, or in terms, conditions or privileges of employment. Differences in treatment are not discrimination under this policy where differences in treatment are permissible under federal and state law.

- *Race Discrimination* - includes Discrimination based on an individual's race, or traits historically associated with race, including but not limited to, hair texture and protective hairstyles, including braids, locks and twists.
- *Religious Discrimination* - includes Discrimination based on religious attire, clothing, or facial hair, or treating applicants for employment differently because of their religious beliefs.

Familial Status - Discrimination on the basis that an applicant or employee are a parent, pregnant, in the process of becoming a parent, or are a guardian of one of more dependents domiciled in the guardian's home.

Gender Identity or Expression - a person's actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.

Harassment - abuse, intimidation/threats/coercion, assault, and/or other unwelcomed conduct related to a Protected Trait, where the conduct has the purpose or effect of:

a. unreasonably interfering with an individual's work environment;
b. subjecting an employee to inferior terms, conditions or privileges of employment; or
c. creating an intimidating, hostile, degrading, humiliating or offensive environment for the employee.

Such conduct includes verbal, visual, or physical conduct directed at an individual because of a Protected Trait, to include slurs, insults, insulting/derogatory pictures, assault, blocking ingress/egress, and other unwelcome behaviors.

Protected Trait - sex, race, color, religion, national origin, citizenship, age, creed, disability, veteran status, marital status, military status, Familial Status, Domestic Violence Victim status, sexual orientation or Gender Identity and Expression, predisposing genetic characteristics/genetic information, pregnancy or pregnancy-related conditions, reproductive health decisions, prior arrest or conviction records, or any other category protected by applicable federal, state, or local law.

Qualified Person – an applicant or employee who meets the skill, experience, education, or other requirements of an employment position that s/he holds or seeks and who can perform the essential functions of the position with or without Reasonable Accommodation.

Reasonable Accommodation – any change in the work environment to help a person apply for a job or to perform the duties of their job that does not cause undue hardship to the RF's business or operations.

Retaliation - any adverse treatment, action or credible threat of an adverse treatment or action taken by the Research Foundation or any individual doing work for or on behalf the Research Foundation, in response to a complaint of Discrimination or Harassment, participation in an investigation relating to a violation of this Policy, or engaging in lawfully protected activities, such as participating in an external investigation or proceeding. Retaliation includes any actual or threatened adverse employment action that would harm a former employee's current or future employment, such as "blackballing" within an industry or reporting or threatening to report the immigration status of an employee or the employee's family member.

Sexual Harassment – A form of unlawful sex Discrimination which includes Harassment on the basis of sex, sexual orientation, Gender Identity and the status of being transgender. Sexual Harassment includes instances where submission to unwelcome conduct that is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, subjecting an employee to inferior terms, conditions, or privileges of employment, or creating an intimidating, hostile, or offensive work environment, even if the complaining individual is not the intended target of Sexual Harassment;
- Such conduct is made – either explicitly or implicitly – a term or condition of employment; or
- Submission to or rejecting of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, videos, photographs, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. The action need not be severe and pervasive for it to amount to unlawful Sexual Harassment. Sexual Harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or images, or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which subject the employee to inferior terms, conditions, or privileges of employment, or which interfere with the recipient's job performance.

This can occur even if the derogatory behavior was not intended for a particular individual (i.e. comment directed at employee A (recipient) but offends employee B).

Sexual Harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is called "quid pro quo" Harassment.

Victim of Domestic Violence - Any person who is older than 16, married, or a parent accompanied by the parent's minor child in a situation where the person or their minor child is the victim of an act committed by a family or household member that would violate the penal law. The act must have resulted in actual physical or emotional injury or created a substantial risk of physical or emotional harm to the person or their child.

Related Information

Sexual Harassment Prevention Policy
Procedure for Resolving Discrimination, Harassment, and Retaliation Complaints

Forms

Equal Employment Opportunity Self Identification & Voluntary Invitation to Disclose Veteran Status Form

Change History

Date	Summary of Change
September 16, 2026	Updated disability self-identification language to meet current requirements.
May 20, 2026	Added section for reasonable accommodations for pregnancy and pregnancy-related conditions in line with the Pregnancy Workers Fairness Act, updated policy and definitions for consistency with current laws.
February 4, 2024	Updated link
March 20, 2023	Updated statement of policy and definitions pursuant to amendments to New York State Human Rights Law; updated definition of retaliation pursuant to amendments to New York Labor Law Section 740; Updated supervisor and employee responsibilities to include responsibility for reporting violations of

Date	Summary of Change
March 20, 2023 (continued)	the policy; removed detailed statement of employee rights and remedies regarding reproductive healthcare decisions pursuant to federal court ruling permanent injunction removing state law requirement to include such language in the handbook; updated pronouns to “they” for inclusivity.
January 7, 2020	Updated to reflect 2019 amendments to New York State Human Rights Law and for consistency with the Sexual Harassment Prevention Policy. Updated reasonable accommodation for domestic violence and antidiscrimination against reproductive health decision making.
April 2, 2019	Updated to make consistent with Sexual Harassment Prevention Policy; Updated avenues of complaint for employees alleging violations of this policy; Added Reasonable Accommodations for Individual’s Sincerely Held Religious Beliefs; updated definition of Sexual Harassment
February 21, 2017	Combined Previous EEO policies, including Equal Employment Opportunity Policy, Nondiscrimination on the Basis of Age Policy, Nondiscrimination on the Basis of Sexual Orientation, Discrimination Policy, Employment of Disabled Individuals Policy, and Employment of Special Disabled, Vietnam Era, and Other Protected Veterans, Affirmative Action Policies Summaries; Nonharassment in the Workplace.

Feedback
Was this document clear and easy to follow? Please send your feedback to webfeedback@rfsuny.org.