Training Programs Available for Departments
The Office of Affirmative Action and Equal Opportunity Programs offers several training programs for Penn’s centers and departments. Please contact our Office to schedule a needs analysis with Associate Director, Ralph DeLucia.

| Americans with Disabilities Act (ADA) For Managers | Americans with Disabilities Act (ADA) For Faculty |
| Creating a Respectful & Productive Work Environment | Common Ground: Promoting a Respectful Workplace |
| Procedures for Resolving Complaints of Discrimination | Sexual Harassment Awareness |

New Training Program Now Available
Ralph DeLucia

Managing Intercultural Conflict
Intercultural miscommunication and misattributions often underscore intercultural conflict. Individuals coming from two contrastive cultural communities bring with them different value assumptions, expectations, verbal and nonverbal habits, and interaction scripts that influence the communication process. Defining multicultural competencies is the foundation for understanding intercultural conflict. To understand human behavior it is important to understand the multicultural context in which behavior is learned and displayed. Understanding the context of conflict, and developing your professional competencies, are critical in conflict resolution. The study of intercultural conflict is about acquiring the knowledge and skills necessary to manage differences constructively and creatively. This training program will acquaint participants with the basic skills and concepts they need to be more effective in cross-cultural communication and conflict resolution.

Affirmative Action Compliance Form Now Available Online
The Staff Affirmative Action Compliance Form is now available online. The form is interactive and the hiring officer may complete, print, and sign it before submitting it and the necessary supporting documentation, to their Compliance Officer for review and approval. The Staff Affirmative Action Compliance form and directions for its use are available at: http://www.upenn.edu/affirmation/ONLINE_AACF.pdf. If you have any questions about the form, please contact our Office.

Quote:
"We all should know that diversity makes for a rich tapestry, and we must understand that all the threads of the tapestry are equal in value no matter what their color." - Maya Angelou
Pregnancy Discrimination

Patrice Miller

Most of us know that Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of sex, but how many people know that this law also covers pregnancy, childbirth or related medical conditions. In 1978, the Pregnancy Discrimination Act amended the sex discrimination provisions of Title VII and states that “…women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work…” This means that if you are pregnant or intend to become pregnant, an employer cannot fire you or refuse to hire you and must provide the same medical benefits and disability leave that it provides to employees with temporary disabilities.

The U.S. Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII. The EEOC has outlined some of the specific employment related protections of the Act as follows:

- An employer cannot refuse to hire a pregnant woman because of her pregnancy, because of a pregnancy related condition or because of the prejudices of co-workers, clients or customers.
- An employer may not single out pregnancy related conditions for special procedures to determine an employee’s ability to work.
- If an employee is temporarily unable to perform her job due to pregnancy, the employer must treat her the same as it would any other temporarily disabled employee.
- Pregnant employees must be permitted to work as long as they are able to perform their jobs.
- Employers must hold open a position for a pregnancy related absence the same length of time as jobs are held open for employees on sick or temporary disability leave.

In 1993, the Family and Medical Leave Act extended the protections of the Pregnancy Discrimination Act by guaranteeing eligible employees of covered businesses up to 12 weeks of unpaid leave for four issues, one of which is the birth of and care of a newborn.

If you feel that you have been subjected to unlawful discrimination because of pregnancy, childbirth or a related medical condition the Office of Affirmative Action and Equal Opportunity Programs is available to assist you. To make an appointment to discuss the specifics of your particular situation, contact our office at (215) 898-6993 or TDD (215) 898-7803.

Please Remember....

Please remember to ensure that all of your school and center websites and brochures include the University’s current nondiscrimination statement. The most current version of the statement is available on the Office of Affirmative Action and Equal Opportunity Programs’ website http://www.upenn.edu/affirm-action/. Compliance is an important part of everyone’s responsibility and we appreciate your help and support.

In The Know......

Have you seen our newly published “Understanding the Americans with Disabilities Act (ADA)” brochure? If not, please call our Office for copies. It describes the resources available to provide assistance and support as part of Penn’s ongoing effort to maintain an inclusive environment for all members of our community.

Check out our website for a video from our event that was part of the University’s commemoration of the work of the Reverend Dr. Martin Luther King, Jr., A Conversation About Peace and Justice. The event was held on January 28, 2008 and was co-sponsored with the Christian Association. This was an interactive program covering topics such as the injustices that Dr. King fought against and understanding Dr. King’s fight for freedom, equality, and dignity. Panelists for this event were Dr. Stephen Ray, Reverend Richard Fernandez, and Reverend Dr. Beverly Dale.

Stay tuned for training modules such as ADA for Faculty, ADA for Managers and Staff, and Sexual Harassment Awareness which will soon become available online for those unable to attend in-person sessions.

The implementation of an online registration process for training workshops also is on the horizon.
Hidden Barriers – Do They Exist?

Ralph DeLucia

Although some of the worst employment discrimination was eliminated by the 1964 Civil Rights Act and other anti-discrimination laws, there has in recent years been some resistance to enforcement of existing laws and political opposition to remedial affirmative action. I believe that as discrimination has become more subtle and more difficult to identify and correct, many Americans continue to endure unfair and unlawful discrimination in the workplace.

Some of the most overtly discriminatory employment practices in the American workplace were eliminated by the 1964 Civil Rights Act and other antidiscrimination laws. However, there continues a strong resistance to enforcement of existing laws and, as we see in the media almost on a daily basis, politized resistance to remedial affirmative action. Therefore, discriminatory employment practices have become more subtle and more difficult to identify and correct, while the American workplace continues to reflect unfair and unlawful discrimination.

More than forty years ago, the 1964 Civil Rights Act was enacted to eliminate deeply entrenched patterns of employment discrimination against persons because of their race, religion, sex, or national origin. In 1967, Congress prohibited employment discrimination on the basis of age. In Section 503 of the Rehabilitation Act of 1973, and the American with Disabilities Act of 1990, Congress prohibited employment discrimination on the basis of disability. Following the lead of the federal government, states enacted laws prohibiting employment discrimination on the basis of race, religion, sex, national origin, age, and disability, and some state and local governments prohibit employment discrimination on the basis of sexual orientation, even prohibiting discrimination on the basis of gender identity.

Although discrimination against African-Americans was the primary reason for enactment of the 1964 Civil Rights Act, African-Americans continue to face stiff opposition in their attempts to obtain fair and nondiscriminatory treatment in the workplace. Overt discrimination, reliance on false and negative stereotypes, and subconscious bias pervasively limit the ability of African-Americans to obtain fair treatment in hiring, evaluations, promotions, and other aspects of employment. Members of other racial and national origin groups, immigrants from our southern borders, for instance and those identifiable by facial features or skin color, face persistent discrimination similar to that faced by African-Americans.

More progress has been made for women, but women continue to work in jobs stereotyped as female jobs, and women in nearly all job categories receive less pay than males in those job categories. Women face limits on promotion to high level management positions because of conscious and subconscious sex bias, and continue to experience sexual harassment on the job despite increased employer awareness of an employer’s obligation to take preventive and corrective action. Pregnant women suffer from discrimination in hiring, promotion, and job performance evaluation because of false assumptions about their ability to work, and women with family care giving responsibilities are disadvantaged by employer insensitivity to the family responsibilities of their employees. Women of color are particularly vulnerable to discrimination in the workplace because they face a combination of racial and gender barriers.

Another issue to consider is the one of aging in employment. Despite federal and state laws prohibiting employment discrimination based upon age, older workers often are evaluated on the basis of false and negative stereotypes, and suffer disproportionately when employers lay off workers. Older workers who lose their jobs have difficulty obtaining comparable employment, and often must accept new employment at a much lower level of pay and responsibility.

Workers still face persistent patterns of employment discrimination based upon religion, disability, and sexual orientation. Federal and state laws prohibit discrimination based upon religion, but religious discrimination persists, and employers have a very limited obligation to accommodate the religious observance needs of employees. Federal and state laws protect persons from discrimination on the basis of disability, but overt bias and false assumptions about the employment ability of disabled persons result in the denial of jobs to fully qualified disabled persons, and many employers resist their obligation to provide a reasonable accommodation to the needs of disabled persons, which seriously limits the ability of disabled persons to obtain acceptance and fair treatment in the workplace. No federal statute prohibits employment discrimination on the basis of sexual orientation, but some state and local laws recently have provided some level of protection from this type of discrimination. It remains true, however, that most gay and lesbian workers have no legal protection from even the most vicious forms of sexual orientation discrimination and harassment in the workplace.

With all of this being said, we must continue our commitment to the rapid elimination from the workplace of unfair and unlawful employment discrimination. Achieving this goal is necessary if our workplace is to reflect American values of fairness and equal opportunity.
OAA Mission Statement

The mission of the OAA/EOP is to provide central leadership and support for the University’s efforts to achieve an educational and work environment that is diverse in race, ethnicity, interests, abilities and perspectives.

The office will work to ensure the implementation of equal opportunity, affirmative action and non-discrimination policies through education, training and active partnership with others from the campus and the broader Philadelphia communities.

“Supporting Diversity through Education, Training and Active partnership”

University of Pennsylvania Nondiscrimination Statement

The University of Pennsylvania values diversity and seeks talented students, faculty and staff from diverse backgrounds. The University of Pennsylvania does not discriminate on the basis of race, sex, sexual orientation, gender identity, religion, color, national or ethnic origin, age, disability, or status as a Vietnam era veteran or disabled veteran in the administration of educational policies, programs or activities; admissions policies; scholarship and loan awards; athletic, or other University administered programs or employment. Questions or complaints regarding this policy should be directed to: Executive Director, Office of Affirmative Action and Equal Opportunity Programs, Sansom Place East, 3600 Chestnut Street, Suite 228, Philadelphia, PA 19104-6106 or by phone at (215) 898-6993 (Voice) or (215) 898-7803 (TDD).