Excerpts of University of Hawai‘i policies as of 11-2018 – check online for updated policies

Executive Policy 9.210  **Workplace Non-Violence**

Excerpts

A. The University of Hawai‘i prohibits any work related or workplace violence against its students, faculty, staff, visitors and contract employees which *materially and substantially* interferes with an individual’s work, academic performance, and/or workplace safety and/or otherwise *subjectively and objectively* creates a hostile environment. Such prohibited violent acts may involve physical attack, property damage, as well as written or verbal statements or non-verbal gestures that, to a reasonable person, express or suggest the intent to cause physical or mental harm to another person including but not limited to:

1. hitting;
2. pushing and shoving;
3. throwing or breaking objects;
4. shouting or yelling in a threatening or hostile manner;
5. threatening gestures or remarks;
6. disruptive or hostile actions;
7. *abusive or belligerent language*;
8. sabotage of equipment;
9. making or sending harassing or threatening telephone calls, letters or other forms of written or electronic communications;
10. stalking, etc.
Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence

I. Purpose

The University of Hawaii is committed to maintaining and promoting safe and respectful campus environments that are free from sex discrimination and gender-based violence. This includes:

- Sex discrimination;
- Sexual harassment;
- Gender-based harassment, including harassment based on actual or perceived sex, gender, sexual orientation, gender identity, or gender expression;
- Sexual exploitation;
- Sexual assault;
- Domestic violence;
- Dating violence; and
- Stalking.

II. Policy

1. As set forth in Title IX of the Education Amendment of 1972, relevant sections of the Violence Against Women Reauthorization Act of 2013, Title VII of the Civil Rights Act of 1964, and Hawaii laws that prohibit discrimination on the basis of sex, sexual orientation, and gender identity.

Any person believing that they have been subjected to sex discrimination; sexual harassment; gender-based harassment, including harassment based on actual or perceived sex, gender, sexual orientation, gender identity, or gender expression; sexual exploitation; sexual assault; domestic violence; dating violence; or stalking should report the prohibited behavior immediately to the respective campus Title IX Coordinator.

The following are examples of behavior that may constitute hostile environment sexual harassment if unwelcome and persistent, pervasive, or severe:

- Sexually offensive jokes or ridicule of a person’s sexuality, sexual orientation or gender identity
- Remarks of a sexual nature about a person’s clothing or body
- Remarks about sexual activity or speculations about previous sexual experiences
- Unnecessary and unwanted touching, patting, hugging, or brushing against a person’s clothing or body
• Pressure for sexual activity, an element of which may be nonverbal conduct, such as repeated and unwanted staring or sexually suggestive gestures

• Displays of offensive objects or pictures, including the use of electronic technology to send derogatory, demeaning, threatening, or hostile materials based on sex

• Requests for sexual favors accompanied by direct or implied rewards or threats

• Taking, sending, or sharing photos, videos, or audio recordings of sexual activity without the person’s consent, regardless of whether the sexual activity itself was consensual

• Intimidation, threats of harm, or actual assaults against a person based on their actual or perceived sex, gender, sexual orientation, gender identity, or gender expression

The above list of examples is not all-inclusive; in addition, each situation must be considered in light of the specific facts and circumstances to determine if there has been a violation of this Policy. The determination as to whether behavior is sexual harassment will take into account the totality of the circumstances, including the nature of the behavior and the context in which it occurred.