

Anti-Discrimination - Policy & Procedures

1.0 Purpose

- 1.1 The purpose of this policy is to ensure a respectful work and learning environment at the American University of Iraq – Baghdad (AUIB) that is free from discrimination, harassment, and bias.

2.0 Scope

- 2.1 This policy applies to all University employees, including faculty, staff, and administrators. It also extends to non-student volunteers, contractors, affiliates, and all individuals involved in fulfilling, administering, managing, or overseeing assurance of learning activities.

3.0 Definitions

- 3.1 Discrimination refers to any distinction, exclusion, or preference of individuals based on race, color, religion and/or religious community, age, health condition or disability, political affiliation, socioeconomic status, nationality, gender, marital status, or any other basis prohibited under Iraqi Labor Law No. 37 of 2015 (Article 8).
- 3.2 Harassment refers to any unwelcome behavior (verbal or physical) that creates a hostile work or educational environment, whether through a single severe incident or repeated actions, as defined in Article 10 of the Iraqi Labor Law.
- 3.3 Violence refers to any physical acts or threats that create a hostile or unsafe environment for employees or students.

4.0 Policy

Range of Penalties

- 4.1 Penalties will be proportionate to the offense's severity, the individual's role, and whether it is a repeat incident.
- 4.2 The committee may apply one or more of the following penalties:
- Informal counseling for minor infractions
 - Formal warning or reprimand placed on record
 - Mandatory training in anti-discrimination and inclusivity
 - Demotion or removal from a supervisory role
 - Suspension with or without pay pending investigation
 - Termination for serious or repeated violations

Confidentiality and Record Keeping

- 4.3 AUIB guarantees protection from retaliation for individuals who report misconduct.
- 4.4 HR will retain all records for a minimum of five years, with access limited to authorized personnel. Confidentiality breaches are subject to disciplinary measures.

Anti-Retaliation Provisions

- 4.5 AUIB strictly prohibits retaliation against whistleblowers or witnesses (Faculty Handbook, Section 20.15).

Supporting Legal References

- 4.6 The policy is supported by the following Iraqi Labor Law articles:
- Article 6: Right to work without discrimination
 - Article 8: Prohibition of Discrimination Among Employees
 - Article 10: Prohibition of Sexual Harassment

Integration with Existing Policies

- 4.7 This policy consolidates relevant provisions from the Faculty Handbook, HR Handbook, and Student Code of Conduct into a cohesive framework.

Commitment to a Safe Environment

- 4.8 AUIB is committed to ensuring a workplace free of harassment, discrimination, and violence. All community members must show mutual respect. Employees engaging in threats or violence may be suspended immediately and referred to the investigation committee.

5.0 Procedures

Reporting and Investigation Procedures - Reporting Channels

- 5.1 Individuals who believe they have experienced or witnessed discrimination, harassment, or violence are encouraged to report the incident promptly through any of the following channels:
- Their immediate supervisor
 - The Director of Human Resources, or
 - Any member of management

The Incident Report

- 5.2 Reports of policy violations may be submitted in writing or verbally. If submitted verbally, the recipient must document all relevant details, including the date of the incident, names and positions of parties and witnesses, and event specifics. All reports will be handled with discretion and confidentiality unless disclosure is necessary to resolve the incident. Employees may report through the channel they



are most comfortable with and are not required to follow the chain of command (HR Handbook, pp.7-8).

- 5.3 Individuals may vindicate their rights as per Article 11 of the Labor Law, which grants workers the right to seek judicial recourse.

Initiating an Investigation

- 5.4 All reported incidents will be documented by HR and forwarded to the AUIB President. Relevant parties will be notified that an investigation will proceed.
- 5.5 The President shall appoint an impartial committee with no conflicts of interest to review the case, hold hearings, and prepare a report with findings and recommended penalties. The committee shall consist of five senior faculty, one of whom is appointed from the College of Law, unless ineligible.
- 5.6 The committee shall elect a Chair from among its members.
- 5.7 If the committee determines within 15 days of receipt that the accused engaged in violence or extreme threats, it may suspend the employee immediately. Suspension remains effective until the final report is submitted or as directed by the President.
- 5.8 The employee has the right to be assisted by a representative or person of their choice in any proceedings that may lead to employment termination (Article 143/Third, Labor Law).

Investigation Process and Procedure

- 5.9 The committee shall issue a procedural order that includes:
- Committee composition
 - Names of disputing parties and witnesses
 - Clear description of the charge
 - Hearing schedule

 - Investigative procedures to be undertaken
 - Projected decision date (within 30 days of committee formation)
- 5.10 Hearings aim to ascertain facts, promote respectful workplace values, and prevent future violations.
- 5.11 After hearings, the committee evaluates all evidence and determines if there is clear and convincing evidence of a policy violation. The committee drafts a written report explaining its decision and recommended sanctions. All committee members sign and date the decision.
- 5.12 The Chair forwards the final report and case record to the President.



5.13 The President either endorses the findings or returns the report with instructions for further review. All involved parties receive written copies.

Timeline of Case Resolution

TIMELINE OF CASE RESOLUTION



Related Policies and Documents

- Code of Conduct and Ethics Policy
- Conflict of Interest Policy
- Confidential Information Policy