



Office of Employment Equity
University Human Resources
Rutgers, The State University of New Jersey
Administrative Services Building II
57 U.S. Highway 1
New Brunswick, NJ 08901-8554

uhr.rutgers.edu/equity
oee@hr.rutgers.edu
848-932-3973
Fax: 732-932-0049

November 14, 2018

Executive Dean Peter March
Rutgers University
School of Arts and Sciences - Dean's Office
77 Hamilton Street, Room 102
New Brunswick, New Jersey 08901-1248

Re: Remand and Revised Letter of Determination – Complaint Pursuant to the University Policy Prohibiting Discrimination and Harassment – University Action/Professor James Livingston
Case No. 2018-44

Dear Executive Dean March,

This letter will set forth my revised determination as to the above matter.

On May 31, 2018 and June 1, 2018, Professor James Livingston, Professor of History, School of Arts and Sciences (“SAS”), New Brunswick, posted certain statements on his Facebook page. In the ensuing days, Rutgers University received numerous complaints about the purported racist content of the posts. These complaints were either anonymous or were lodged by people who appeared to have no direct affiliation with the University. The Office of Employment Equity (“OEE”) initiated an investigation as a University Action. Ms. Lisa Grosskreutz, Director of OEE, assigned the complaint for investigation on June 5, 2018 to Ms. Carolyn Dellatore, Associate Director, and OEE issued its report and determination on July 31, 2018, finding that Professor Livingston had violated the University’s Policy Prohibiting Discrimination and Harassment.

Professor Livingston appealed that determination on August 8, 2018. Mr. Harry Agnostak, Associate Vice President for Human Resources, affirmed OEE’s determination on August 13, 2018.

On August 29, 2018, University President Robert Barchi remanded the matter back to OEE for reevaluation.

Based on Ms. Dellatore's Memorandum on Remand, I retract my initial Letter of Determination and I find that Professor James Livingston did not violate the Policy Prohibiting Discrimination and Harassment in this matter.

Sincerely,

/s/ Lisa Grosskreutz

Lisa Grosskreutz
Director
Office of Employment Equity
Cc: Professor James Livingston