

Section: Discrimination, Harassment, and Retaliation

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Sponsoring Unit/Department: Human Resources

The College prohibits discrimination, harassment, sexual harassment and retaliation in the workplace. The College commits to prompt and appropriate action in the investigation of all complaints and the correction of any violations of this policy.

Discrimination, Harassment and Retaliation Reporting Procedures

Employees are expected to report possible violation(s) immediately to a) Office of Dispute Resolution, or b) filed anonymously through the College's Compliance and Ethics hotline or c) reported to an appropriate administrator/supervisor.

Reportable Activities:

- 1. Discrimination** occurs when an individual is treated adversely based on a protected classification. Protected classifications include race, color, religion, sex (including pregnancy), gender identity or sexual orientation, national origin, age (40 or older), disability, genetic information, military/veteran status, or other legally protected category.
 - Title IX violation occurs when an individual is excluded from participation in, denied the benefits of, or is subjected to discrimination under any education program or activity receiving Federal financial assistance, on the basis of sex.
- 2. Harassment** is a specific form of discrimination. Harassment is unwelcome behavior that: has the purpose or effect of creating an intimidating, hostile, or offensive employment, educational environment, or participation in College-sponsored programs or activities; or has the purpose or effect of unreasonably interfering with an employee's work performance or an individual's employment opportunities. Prohibited harassment may take the form of, but is not limited to, offensive slurs, jokes, and other offensive or abusive oral, written, computer-generated, visual or physical conduct that is aimed at, or that adversely impacts, an employee or student because of his or her inclusion in a protected classification. It may also include negative stereotyping, including negative references about a person's language or accent.
- 3. Sexual Harassment** is a form of sex discrimination directed at an individual because of their sex and may involve individuals of the same sex or different sex. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's status;
 - submission to or rejection of such conduct by an individual is used as the basis for employment decisions, or academic decisions affecting the individual; or
 - such conduct is sufficiently severe or pervasive so as to unreasonably interfere with an individual's work performance, academic performance, or ability to receive the benefits of

a College program or activity which has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment. This may include:

- ◇ unwelcome sexual or non-sexual touching, advances or propositions;
 - ◇ lewd comments, sexual jokes and offensive personal references;
 - ◇ leering, demeaning, insulting, intimidating or sexually suggestive comments about an individual's dress or body;
 - ◇ the display in the workplace of demeaning, insulting, intimidating or sexually suggestive objects or pictures;
 - ◇ demeaning, insulting, intimidating or sexually suggestive written records or electronically transmitted images.
- Use of materials or discussion related to sex and/or gender for scholarly purposes appropriate to the academic context does not constitute sexual harassment.

Retaliation

Retaliation is prohibited. Retaliation means adverse action taken against an employee or student as a result of the employee's or student's good faith participation in a protected activity. Adverse action is any action that affects an employee's terms and conditions of employment or a student's academic status, or is reasonably likely to deter that individual or others from engaging in a protected activity. Protected activities include:

- reporting allegations of discrimination, harassment or retaliation and/or
- participating in any review or investigation of a claim of discrimination, harassment or retaliation.