

## **SEXUAL AND OTHER FORMS OF HARASSMENT AND DISCRIMINATION**

Sexual harassment is a form of sexual discrimination. It is the policy of ***[insert name of local unit]*** to maintain a learning and working environment that is free from sexual harassment, or any kind of harassment based on religion, color, age, race, gender, pregnancy, disability, (including AIDS or HIV infection), affectional or sexual orientation, domestic partnership status, marital status, atypical heredity, cellular or blood trait, genetic information, gender identity or expression or other protected category. ***[insert name of local unit]*** strictly prohibits any form of harassment.

It shall be a violation of this policy for any employee of ***[insert name of local unit]*** to harass an employee through conduct or communication of a sexual nature as defined by this policy.

***[insert name of local unit]*** or its designee will investigate all complaints, either formal or informal, verbal or written, of sexual harassment, or any kind of harassment based on religion, color, age, race, gender, pregnancy, disability, (including AIDS or HIV infection), affectional or sexual orientation, domestic partnership status, atypical heredity, cellular or blood trait, genetic information, gender identity or expression or other protected category and discipline any employee who sexually harasses another employee of the Employer.

### **SEXUAL HARASSMENT DEFINED**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating, hostile or offensive employment environment.

Any sexual harassment as defined when perpetrated on an employee by any employee will be treated as sexual harassment under this policy.

Sexual harassment may include but is not limited to:

- Verbal harassment or abuse;
- Subtle pressure for sexual activity;
- Inappropriate patting or pinching;
- Intentional brushing against an employee's body;
- Demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment;
- Demand for sexual favors accompanied by an implied or overt promise of preferential treatment with regard to an individual's employment status; or
- Any unwelcome sexually motivated touching.

#### REPORTING, INVESTIGATION, AND SANCTIONS

***[Insert name of local unit]*** encourages victims and witness of sexual harassment, other types of harassment, or discrimination based on the above referenced categories to report these issues promptly to their department head or direct supervisor. If you are uncomfortable reporting this information to your direct supervisor or department head or he/she is the individual engaging in this behavior, report the issue to ***[insert name of appropriate local unit employee such as Manager, Administrator, Clerk]***. ***[Insert name of local unit]*** or its designee will investigate any employee, regardless of job position, when such allegations are made. Based on available information, ***[insert name of local unit]*** will take appropriate action.

Confidentiality will be maintained to the extent possible and no reprisals or retaliations will result from the good faith reporting of charges of harassment and discrimination.

In determining whether alleged conduct constitutes sexual or other types of harassment or discrimination, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. ***[Insert name of local unit]*** or a designee has the responsibility of investigating and resolving complaints of sexual harassment.

Appropriate disciplinary action, up to and including termination will be taken against any individual for harassment or discrimination charges determined to be valid.