

### **APHR.2.2.14 Harassment Policy**

Harassment, including sexual harassment, is prohibited by the Equal Employment Opportunity Commission, the Office for Civil Rights and state regulations L.R.S. 23:301, 312, 332 and, therefore, it is the policy of Delta that unlawful harassment of employees and students is prohibited.

**Harassment** is physical, verbal and visual conduct that creates an intimidating, offensive or hostile environment that interferes with the work environment. This includes harassment because of race, gender, sexual orientation, religious creed, color, national origin, ancestry, disability or medical condition, age or any other basis protected by federal, state or local law, ordinance or regulation.

**Sexual Harassment** is defined by the Equal Employment Opportunity Commission as: Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature... when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) such conduct has the purpose and effect of unreasonably interfering with an individual's work performance *or* creating an intimidating, hostile or offensive working environment.

Workplace harassment infringes on employees' right to a comfortable work environment, and it is a form of misconduct that undermines the integrity of the employment relationship. No employee – male or female – should be subjected to unsolicited and unwelcome overtures or conduct, either verbally, visually, physically or electronically transmitted. Although this list is not all-inclusive, examples of conduct that is prohibited includes:

- *Taking any personnel action on basis of an employee's submission to or refusal of sexual overtures*
- *Unwelcome or unwanted conversations*
- *Unwelcome or unwanted touching*
- *Continued or repeated verbal abuse of a sexual nature*
- *Explicit or degrading verbal comments, suggestions, or slurs about another individual or his/her appearance*
- *Offensive comments regarding sexual or private matters*
- *Display of sexually suggestive pictures, objects*
- *Offensive jokes*
- *Verbal abuse, comments, names or slurs that in any way relate to an individual's race, color, sex, sexual orientation, age, religion, national origin or disability*
- *Any other offensive or abusive physical, visual or verbal conduct*

This policy applies to all unclassified and classified employees, students, supervisors, managers, faculty, vendors, and all other individuals doing business with Delta Community College. It is the policy of Delta that no employee may harass another. This includes harassment of an employee by another employee, of a student by an employee, of an employee by a student, of a student by another student. Additionally, under appropriate circumstances, Delta may take

action to protect its employees and students from harassment, on Delta property or at Delta sponsored events, by individuals who are not students or employees of Delta.

A complaint of harassment should be presented as promptly as possible after the alleged harassment occurs. Any employee who believes he/she is the subject of harassment or who has knowledge of harassing behavior must report such conduct to their direct supervisor and the Office of Human Resources verbally and/or in writing using the harassment complaint form. Any student who believes he/she is the subject of harassment or who has knowledge of harassing behavior must report such conduct to student affairs personnel. He/she also may submit a complaint to the Chancellor. No student or employee is required to report or make a complaint of harassment to the person who is allegedly engaging in the problematic conduct. In the event that an individual feels uncomfortable making a complaint at the campus level, such complaint may be made at the system level with the LCTCS Director of Human Resources (225-922-2800), Louisiana Community and Technical College System, 265 South Foster Drive, Baton Rouge, Louisiana 70806.

Complaints of harassment will be investigated promptly and in as impartial and confidential manner as possible. A member of the Office of Human Resources will conduct investigations, unless otherwise deemed necessary, in order to assure an impartial and confidential investigation. Delta will not tolerate any type of discipline or retaliation, direct or indirect, against any employee or other person who, in good faith, files a complaint of or responds to questions in regard to having witnessed prohibited harassment. False charges are treated as serious offenses and may result in disciplinary and/or civil action.

Any employee or member of management who is found, after appropriate investigation, to have engaged in harassing conduct is subject to appropriate disciplinary action up to and including termination of employment and/or student standing per the College's policies in place governing students.

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

Name of Complainant: \_\_\_\_\_ Date form completed: \_\_\_\_\_

Department/Institution: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

1. Charge of discrimination based on:

- |   |  |
|---|--|
| <input type="checkbox"/> Race/Color               | <input type="checkbox"/> Gender                          |
| <input type="checkbox"/> Sexual Orientation       | <input type="checkbox"/> Religious Belief                |
| <input type="checkbox"/> National Origin/Ancestry | <input type="checkbox"/> Disability or Medical Condition |
| <input type="checkbox"/> Age                      | <input type="checkbox"/> Other                           |

2. Statement of Discrimination/Harassment, please provide the following information (use an attached sheet if necessary):

a) Date(s), time(s), and location(s) of the incident/incidences that took place

b) Description of each incident: e.g., was any physical contact made? What was said and/or done? Etc.

c) Name(s) of anyone present during each incident

d) Anyone with whom you've discussed the incident/incidences

Comments:

Complainant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Complainant Recipient Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_