

I. NON-DISCRIMINATION POLICY

Roberts Wesleyan College complies with all applicable employment laws. There shall be no discrimination against any employee, applicant for employment, or any student on any basis prohibited by law. This non-discrimination policy applies to educational policies and programs and to terms and conditions of employment, which include (but are not limited to): recruitment, hiring, training, compensation, benefits, promotions, disciplinary actions, and termination.

II. NON-HARASSMENT POLICY

It is the College's policy that all employees and students should be able to enjoy and work in an educational environment free from harassment of any nature. Therefore, harassment based on race, ethnicity, gender, age, **sexual orientation, sexuality**, or other personal characteristics violates this policy.

Harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual and that has the purpose or effect of creating an intimidating, hostile, or offensive employment or educational environment or has the purpose or effect of unreasonably interfering with an individual's employment or academic performance.

III. DEFINITIONS AND EXAMPLES OF HARASSMENT

Harassment: Written, verbal, and/or physical conduct designed to threaten, intimidate, or coerce another person. This includes taunting, degrading, threatening, or otherwise offensive or hostile remarks or behavior, including slurs, jokes, offensive stereotypes, or any kind of behavior which, in the employee's opinion, impairs his/her ability to perform his/her job. **Also, it is envisioned that students will also be able to enjoy and work in an educational environment that does not impair his or her academic performance.**

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when such conduct

1. is made explicitly or implicitly a term or condition of employment **or of educational success**,
2. is used as a basis for employment or **educational** decisions, or
3. unreasonably interferes with an employee's work performance/**student's academic performance** or creates an intimidating, hostile, or offensive working or learning environment.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. An employee's conduct will be considered inappropriate and in violation of this policy when the employee knew or should have known it was unwelcome to the person subjected to it. Sexual harassment may take different forms as noted below.

Examples of Sexual Harassment: Verbal: sexually suggestive comments, jokes of a sexual nature, sexual propositions, slurs, threats; Non-verbal: sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures; Physical: unwanted physical contact, including touching, pinching, brushing the body, sexual intercourse, **or** assault.

IV. APPOINTMENT OF SEXUAL HARASSMENT AND RACIAL HARASSMENT OFFICERS

The College appoints a Sexual Harassment Officer and a Racial and Ethnic Harassment Officer who will be directly accessible to members of the faculty, staff, and student body. These individuals' names can be accessed by calling the Office of Human Resources. Both Harassment Officers will work closely with the Vice President for Administration or Director of Employee Relations on all harassment inquiries and investigations. He/she will investigate allegations of harassment and together with the Vice President for Administration or Director of Employee Relations determine if harassment occurred or if the accusation was made in bad faith. The Harassment Officers will also assist the Office of Human Resources in the development of communications regarding harassment and educational efforts to prevent harassment.

V. REPORTING INCIDENTS OF HARASSMENT

1. Students who are subjected to harassment should report the matter confidentially to the Sexual Harassment Officer, Racial and Ethnic Harassment Officer, Vice President of Student Life, or Vice President for Administration or any member of the faculty or staff with whom they feel comfortable discussing the matter. If reported to a faculty or staff member, that member of the faculty or staff must initiate appropriate steps to end the harassment in cooperation with the appropriate Harassment Officer and the Vice President for Administration. **It is expected that the student making the report is willing to have his or her name accompany the report and is willing to follow through with the process.**
2. Members of the faculty or staff who are subjected to harassment should report the matter to the Sexual Harassment Officer, Racial and Ethnic Harassment Officer, or Vice President for Administration or any appropriate supervisory person with whom they feel comfortable discussing the matter. That supervisory person must initiate appropriate steps to end the harassment in cooperation with the appropriate Harassment Officer and Vice President for Administration. **It is expected that the faculty or staff member making the report is willing to have his or her name accompany the report and is willing to follow through with the process.**
3. Members of the faculty or staff (including part-time, time-as-reported [TAR], and student employees) who are aware of an incident of sexual harassment affecting a member of the faculty, staff, or student body must report the matter confidentially to the Sexual Harassment Officer, Racial and Ethnic Harassment Officer, Vice President for Administration, or a supervisory person with whom they feel comfortable discussing the matter. That supervisory person must initiate appropriate steps to end the harassment in cooperation with the appropriate Harassment Officer and the Vice President for Administration. **It is expected that the person making the report is willing to have his or her name accompany the report and is willing to follow through with the process.**

VI. INVESTIGATING HARASSMENT ALLEGATIONS

Every harassment complaint will be quickly and thoroughly investigated. Effort will be made to keep complaints as confidential as possible by all parties; however, in order to conduct an investigation, some disclosure of information is necessary. **The Director of Human Resources would have the responsibility of providing oversight for the investigation and take steps to ensure that there is no retaliation against the alleged victim.**

- 1. The Harassment Officer shall interview the alleged victim to gather information about the alleged harassment within 24 hours of having received the report. Said victim may be accompanied by a *support person and/or an *advocate of his or her choice. Should the Harassment Officer not be available for this step of the investigation, the Director of Human Resources would be the first line of back-up, and the Vice-President for Student Life would be the second line of back-up.**
- 2. The Harassment Officer, or an assigned back-up, shall file a report with the Director of Human Resources within 24 hours of having interviewed the alleged victim.**
- 3. The Director of Human Resources, or a designee, shall schedule a meeting with the alleged perpetrator of harassment charges to discuss the pending report. This meeting shall be scheduled within 5 business days of having received the report. The alleged perpetrator may be accompanied by a support person and/or advocate of his or her choice.**
- 4. If the Director of Human Resources, or a designee, assesses that the pending report of alleged harassment warrants further investigation, this shall be done within 10 business days of having met with the alleged perpetrator. Appropriate administrative personnel may be included in the investigation during this period.**
- 5. Within 5 business days of concluding the investigation, the Director of Human Resources, or a designee, shall advise the alleged victim, alleged perpetrator, and appropriate administrative personnel of the investigation outcome.**

VII. DISCIPLINARY ACTIONS FOR HARASSMENT

If the finding of the investigation is that the alleged harassment charges against the alleged perpetrator have been substantiated, the perpetrator shall meet with the appropriate administrative personnel to discuss the consequences of having perpetrated harassment. The investigatory report will be filed in the perpetrator's permanent student, if the perpetrator is a student, or in the employee's permanent file, if the perpetrator is an employee of the College.

If the finding of the investigation is that the alleged harassment charges against the alleged perpetrator have *not* been substantiated, said charges shall be dropped, without further consequence or report being filed in the alleged perpetrator's permanent student or employee file.

Consistent with the applicable provisions of College policy, the College will take prompt, appropriate disciplinary actions, including possible suspension or termination, against any faculty member, staff member, or student who is deemed to have engaged in harassment or to have made a false accusation of someone.

*The support person/advocate may not be legal counsel.