

Policy 700: Harassment

Related Policies

Adopted: November 21, 2019

Amended: August 20, 2020

I. Introduction

The Board of Directors at Central Penn College is committed to maintaining an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Harassment of any kind undermines the character and purpose of Central Penn College. The Board of Directors will not tolerate such harassment.

II. Purpose:

This Board Policy codifies the College's current anti-harassment practice and procedures located in the Employee Handbook. The College's anti-harassment practices and procedures remain in effect, uninterrupted.

III. Definitions

Harassment: Harassment is unwelcome conduct that is based on **age, race, color, sex, gender identity, sexual orientation, national or ethnic origin, religion, disability, genetic information, or any other protected class.**

IV. Policy

Central Penn is committed to providing a work environment that is free of discrimination and harassment. Actions, words, jokes, or comments based on an individual's age, race, color, sex, gender identity, sexual orientation, national or ethnic origin, religion, disability, genetic information, or any other legally protected characteristic will not be tolerated. Harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any supervisor or manager who becomes aware of possible harassment should promptly advise Human Resources who will handle the matter in a timely and, to the extent possible, confidential manner.

Central Penn prohibits acts of retaliation against anyone involved in lodging a complaint of harassment. Conversely, Central Penn considers intentionally filing false reports of harassment a violation of this policy.



Anyone engaging in harassment will be subject to disciplinary action, up to and including termination of employment.

Sexual Harassment

Sexual harassment is a violation of state and federal law and College policy. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal or physical conduct, or visual forms of harassment of a sexual nature, when submission to such conduct is either explicitly or implicitly made a term or condition of employment, or is used as a basis for employment decisions, or when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

An employee cannot be forced to submit to such conduct as a basis for any employment decision, nor should they be exposed to an intimidating, hostile, or offensive work environment. Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on employer premises and whether or not the incidents occur during working hours. Harassing behavior carried out through social media venues is also prohibited.

Reporting Violations of the Harassment Policy

Employees:

If an employee believes that he or she has been subject to harassment or any unwelcome sexual attention, he or she may address the situation directly and immediately to the harasser, if possible. If the inappropriate conduct does not cease, or if the employee is unable to or uncomfortable with addressing the alleged harasser directly, he or she should report the incident to a supervisor or manager, or to Human Resources. It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses.

If an employee is witness to behavior toward another employee they reasonably believe to be harassing in nature, he or she should report it to a supervisor, manager, or Human Resources. It is possible that non-employees can harass employees and that should also be reported. Employees are required to cooperate in investigations if asked to participate as potential witnesses.

Managers and supervisors:

Managers and supervisors have a duty to promptly deal with allegations of sexual harassment in their departments. They must:

- Take all complaints or concerns of alleged or possible harassment or discrimination seriously no matter how minor or who is involved.



- Ensure that harassment or inappropriate sexually oriented conduct is immediately reported to HR so that a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct to HR, are in violation of this policy and subject to discipline.

Human Resources:

Reports of harassment will be promptly investigated which includes interviewing complainant, alleged harasser, and witnesses. The alleged harasser may be suspended pending the outcome of an investigation, depending on the severity of the case. **After a consideration of the preponderance of evidence**, a report of findings is prepared for management with recommendations for corrective action, if necessary. The employees involved in the incident(s) will be informed of the outcome. Disciplinary action, from verbal counseling, up to and including termination may result.

Human Resources will take adequate steps to ensure that all parties and witnesses are protected from retaliation during the period of the investigation and thereafter. The College will not tolerate retaliation.

All complaints and investigations are treated confidentially to the extent possible. However, due to the nature of some complaints, the identity of the complainant might be revealed in the course of an investigation.

- V. **Effective Date:**
Immediately