

University Policy 200.18 HARASSMENT

Responsible Administrator: Office of the President

Responsible Office: Office of Human Resources

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POLICY STATEMENT

It is the policy of Claflin University to provide a workplace/learning environment that prohibit all forms of harassment. The University has a "no-harassment" policy and does not authorize and will not tolerate any form of harassment. One of the University's Guiding Principles is its "Commitment to Valuing People." Therefore, the University strictly forbids all forms of harassment based on the following factors: race, color, sex, national origin, age, disability, religion, or any other characteristic that is protected by law (for more information, see University Policy No. 200.17: Equal Employment Opportunity (EEO)).

STATEMENT OF PURPOSE

This policy establishes guidelines for providing employees and students with a workplace/learning environment that is free from all forms of unlawful harassment. The purpose of the harassment guidelines is to educate all employees on the different types of behavior that can be considered harassment; define a hostile, intimidating, and offensive work or learning environment; identify the types of disciplinary action that will be imposed upon persons who engage in conduct that violates this policy; and serve as an instrument to prevent harassment by communicating that it is a very serious offense.

DEFINITIONS

- **Harassment:** Any unwelcome verbal, written or physical conduct that is directed towards a person on the basis of race, color, age, sex, religion, disability, marital status, pregnancy, or any other legally protected class and creates an intimidating, hostile, or offensive work or learning environment; interferes with an employee's work performance or student's academic experience; and/or affects an employee's employment opportunities or compensation.

- **Sexual Harassment:** As explained in University Policy No. 200.29: Policy on

Sexual Misconduct and Harassment, sexual harassment refers to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work or learning environment.

- **Retaliation:** Acts of intimidation, reprisal, interference, penalty, discrimination, or harassment against employees and/or students who have exercised their rights under this policy.

APPLICABILITY

This policy is applicable to all administrators, faculty, staff, hourly, temporary employees, students, and customers or persons who conduct business with the University.

PROCEDURES

Clafin University is committed to maintaining a work or learning environment that is free from all forms of harassment. Examples of "harassment" that are covered by this policy include, but are not limited to, offensive language, jokes, physical, verbal, written, or pictorial conduct relating to the employee's sex, race, religion, national origin, age, disability, or other factors protected by law that would make a person experiencing such behavior feel uncomfortable or would unreasonably interfere with the person's work or learning performance.

Types of prohibited harassment include the following:

Sexual Harassment

Sexual harassment (opposite-sex or same-sex) is strictly prohibited. University Policy No. 200.29: Policy on Sexual Misconduct and Harassment sets forth the definition of sexual harassment, an explanation of the types of sexual harassment, examples of sexual harassment, reporting procedures for filing a complaint, investigation procedures, interim measures, and possible disciplinary actions.

Examples of behavior that may constitute sexual harassment in violation of University policy include:

- Sexually offensive jokes or comments

- Physical assaults or other unwelcome touching that is sexual in nature
- Promising favorable treatment or threatening unfavorable treatment based on the employee's response to sexual demands
- Displays of sexually oriented reading materials or pictures, including electronic materials
- Punishing an employee for complaining of sexual harassment

Harassment Based on Race, Color, National Origin, Age, Disability, or Religion

Harassment based on these traits is strictly prohibited.

Examples of the types of behavior that may constitute harassment in violation of this policy include:

- Jokes or negative comments regarding a legally protected characteristic
- Displays of reading materials or pictures containing negative material (including electronic material)
- Vandalism or "pranks" based on these characteristics
- Name-calling (i.e. racial slurs, etc.)

Reporting Harassment

It is the duty of each employee to immediately report incidents of harassment. The employee should report harassment when:

- ✓ One believes that he/she has been harassed
- ✓ He/she has witnessed someone else being harassed

If the complaint involves allegations of sexual misconduct, the complaint should be processed in accordance with University Policy No. 200.29: Policy on Sexual Misconduct and Harassment.

University Responsibility

All harassment complaints shall receive immediate attention and will be coordinated by the Office of Human Resources in conjunction with the Vice President for Student Development and Services.

Disciplinary Action

Disciplinary decisions shall be in adherence to University policy. The corrective action recommended will depend on the severity of the offense and may include any of the following:

- ✓ Verbal or written warning
- ✓ Suspension
- ✓ Demotion
- ✓ Dismissal



