

Sexual Harassment in the Workplace Policy

POLICY: Sexual Harassment in the Workplace			
POLICY NUMBER:	300.32	CUSTODIAN:	Special Projects Director
APV'D DATE:	10/17/2017		
EFFECTIVE DATE:	10/17/2017	REVIEW DATE:	May 2021
REFERENCES: EEOC Guidelines on Sexual Harassment, Code of Conduct, Clery Act, Title IX of Education Amendments, Title IX Policy			

Part 1. Policy Background and Purpose.

The purpose of this policy is to define Sexual Harassment at White Earth Tribal and Community College (WETCC) and outline preventative procedures.

Part 2. Definitions.

Sexual Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a man/woman by making offensive comments about men/women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same or opposite sex.

Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is forbidden when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, student, faculty member, or someone else, such as a client or customer.

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Unwelcome sexual advances, propositions or other sexual comments, sexually-oriented gestures, noises, remarks, jokes, or other comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, someone to unwelcome sexual attention or conduct.

Title IX Coordinator has been delegated to the Human Resources Technician. The Title IX Coordinator is responsible to coordinate compliance under Title IX of the Education Amendments which prohibit sex discrimination in educational programs and activities.

Part 3. Responsibility.

Any individual concerned about violations of this policy may request assistance from the Title IX Coordinator.

Any employee who becomes aware of a sexual harassment situation involving another employee is responsible to communicate the sexual harassment to the Title IX Coordinator.

An employee who takes a report of sexual harassment must, within one business day, report the incident to the Title IX Coordinator.

The Title IX Coordinator is responsible to receive all complaints and complete the investigation.

The Title IX Coordinator is responsible to maintain the official complaint log of all sexual harassment issues on behalf of WETCC.

All staff are responsible to appropriately assist with any active sexual harassment investigation as requested.

Supervisory personnel are responsible to enforce any disciplinary action as required during this process.

Part 4. Policy.

WETCC's commitment to equal opportunity includes an assurance that all employees, students, and guests will have an environment conducive to working and learning, and as a result, sexual harassment is prohibited.

WETCC takes seriously any allegation of sexual harassment and will investigate all such charges promptly based upon alleged conduct and the degree of seriousness of the harassment. WETCC will look at the record and at the totality of the circumstances, such as the nature of the conduct and the context in which the alleged incidents occurred. Formal claims of sexual harassment will be investigated and handled in accordance with WETCC policies and procedures.

WETCC disciplinary actions will be designed primarily to remedy any harm done to those who have been subjected to sexual harassment and to protect others from such harassment. An employee found to be guilty of sexual harassment will be subject to disciplinary actions, up to and including termination of employment.

Retaliation for the report of a sexual harassment claim is strictly prohibited.

Sexual Harassment that is deemed severe or pervasive will fall under Title IX.