



Ozarka College

SEXUAL HARASSMENT POLICY

Purpose

This policy is established to encourage employees to discuss problems of sexual harassment with appropriate supervisors, to explain, to reach resolution, to make adjustments, if necessary, and to foster better understanding between employees and supervisors. Such discussion will lead to better employee/supervisor understanding of policies, procedures and practices.

Policy

It is the policy of this agency that sexual harassment, as defined in the Federal Guidelines (29 CFR Ch XIV, subsection 1504.11), Section 703 of Title VII of the Civil Rights Act of 1964, as amended, and Arkansas Act 563 of 1985, which amends Subsection (8) of Section 1801 of Act 280 of 1975 in the Arkansas Criminal Code, is intolerable and unconscionable and will not be tolerated by this agency. Persons who are found to have committed and/or knowingly permitted acts of sexual harassment will be subject to disciplinary action up to and including immediate dismissal from employment with this agency.

It is also the policy of this agency that all employees be given the opportunity through established steps and processes and specified in the institution's grievance procedure, to resolve sexual harassment complaints. This policy does not reflect any change in the institution's grievance procedure.

Employees should submit complaints made in good faith, expressed in reasonable terms, containing cause for the complaint, corrective action desired and sufficient information upon which to base decisions. Complaint must be submitted within five (5) working days of the occurrence of the act(s).

Criteria

The criteria of sexual harassment, as specified by the Federal guidelines, is: (A) submission to the conduct is either an explicit or implicit term or condition of employment and/or; (B) Submission to or rejection of the conduct is used as a basis for employment decisions affecting the person who did the submitting or rejecting and/or; (C) The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Actions that may be defined as sexual harassment are not limited to the "supervisor to employee" situation, but may include actions of co-workers, actions of the same or opposite sex and actions of individuals external to the agency, but who have contact with employees in the work environment.

Such unwelcome behavior may be either physical or verbal in nature. Examples include, but are not limited to the following: single occurrences of overt actions, continuing occurrences of abusive or

demeaning language, derogatory remarks, questions regarding sexual preferences or activities and/or use of explicit/implicit materials.

Subsection (8), Act 280 of 1975 (Arkansas Criminal Code) as amended by Act 563 of 1985, defines and includes examples of sexual harassment.

Notification

This institution's grievance procedure authorizes the Grievance Officer to modify, waive, or otherwise change the Grievance Procedure in order to fulfill the intent of the procedure, provided the Institution president and employee agree to the waiver, modification or change. To this effect, no employee, in order to achieve resolution, shall be required to solely or independently confront the person allegedly conducting or causing the action believed to be sexual harassment.

Employees believing themselves to be victims of sexual harassment are encouraged to come forward to effect resolution of the complaint. Employees are encouraged to contact the Personnel Office or the institution grievance officer to begin the process of resolution.