

Saint Joseph's College

Policy Guidebook

Human Resources

Section Name: The Work Environment

Section Number: 4.01

Effective Date: 7/28/2022

SUBJECT: Sexual Harassment

Purpose:

Saint Joseph's College will not tolerate sexual harassment of its employees or students. Sexual harassment in the workplace is unlawful under both state and federal law.

Applicable to:

All Faculty, Staff and Student Employees

Policy:

Sexual harassment is defined as conduct of a sexual nature (which may be verbal, non-verbal, or physical) that has the effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work or learning environment.

Saint Joseph's College will not tolerate sexual harassment of its employees or students. Sexual harassment in the workplace is unlawful under both state and federal law. Sexual harassment is defined as conduct of a sexual nature (which may be verbal, non-verbal, or physical) that has the effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work or learning environment.

Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education or
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive employment or educational environment. Sexual harassment may involve individuals of the same or different gender. Sexual harassment is most frequently associated with those situations in which a power differential exists between persons involved; however, it also may occur between individuals of the same College status, e.g., student-student and employee-employee.

Examples of conduct, which may constitute sexual harassment, are: unnecessary touching, patting, hugging or brushing against a person's body, staring, ogling, leering, whistling, sexually

explicit statements, comments, jokes, or anecdotes, graphic comments about a person's clothing or body, sexually suggestive objects or pictures in the workplace, harassing use of electronic mail or telephone communication system, other physical or verbal conduct of a sexual nature.

Such conduct, whether intended or not, constitutes sexual harassment and is illegal under both state and federal law. Violations of this policy will not be permitted.

Procedure:

Employees who believe that they are or have been a victim of sexual harassment should first report their allegations to their supervisor or to the Saint Joseph's College Title IX Coordinator who handles sexual discrimination, harassment and misconduct.

Employees will be requested to put their complaint in writing. The complaint will be investigated promptly and as confidentially as possible. The complainant (employee filing the complaint) will be notified of the results of the investigation. In cases where the complaint was found to have merit, disciplinary actions will generally be disclosed to the complainant only if they include no contact with the complainant. In no case shall the person an employee alleged to have harassed them be responsible for the investigation.

No employee or student who is filing a claim or is a witness in the investigation shall be subject to retaliatory action for their good faith participation in this procedure. Words or behaviors that punish a person for the good faith filing of a complaint or participating in an investigation are illegal. The full Procedure for the Resolution of Sexual Harassment Complaints is included in the Gender-based Harassment, Discrimination, Violence & Sexual Misconduct Policy (<https://my.sjcme.edu/resources/administrative/title-ix-policy/>).