

Sexual Harassment

B-190

Purpose: Acts of sexual harassment by anyone affiliated with the District, including Board Members, are strictly prohibited and are subject to sanctions and disciplinary measures.

B-190-10 Definition. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

B-190-10-1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

B-190-10-2 Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

B-190-10-3 Such conduct has the purpose or effect of substantially interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.

B-190-20 Prohibited Acts. Prohibited acts of sexual harassment can take a variety of forms ranging from unwanted verbal or physical actions, subtle pressure for sexual activity to physical assault. Examples of the kinds of conduct included in the definition of sexual harassment are:

B-190-20-1 Direct or indirect threats or suggestions of sexual relations or sexual contact which is not freely or mutually agreeable to both parties.

B-190-20-2 Continual or repeated verbal abuses of a sexual nature including graphic commentaries on the person's body; sexually suggestive objects or pictures placed in the work area that may embarrass or offend the person; sexually degrading words to describe the person, or propositions of a sexual nature.

B-190-30 Complaint Process. Any employee who believes he/she is the victim of sexual harassment may file a formal or informal confidential complaint without fear of reprisal or embarrassment.

B-190-30-1 An informal complaint is made verbally by the employee to the immediate supervisor. Although filing the complaint with the immediate supervisor is preferred, the employee is free to file a complaint with any supervisory employee.

B-190-30-2 A formal complaint is made in writing. Written complaint should be submitted by the employee to the District Manager.

B-190-30-3 Within 24 hours of the filing with the District Manager, the District Manager shall inform, in total confidentiality, the Personnel Committee of the Board or the President of the Board of Directors, or the entire Board, depending on circumstances.

B-190-30-4 All discussions resulting from said investigation shall be kept confidential by all informed of said investigation.

B-190-30-5 The person initiating the complaint has the right to be accompanied by an advocate(s) when discussing alleged incidents. Said person shall be advised of this right prior to the commencement of such discussions.

B-190-40 Disciplinary Procedures and Sanctions. Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the District Manager against the harasser where sexual harassment is found, including legal actions where appropriate.

B-190-40-1 Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment. Making the employee whole may involve reinstatement, back pay, promotion, etc.

B-190-40-2 Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims.

B-190-40-3 Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation.