

# Harassment Policy

## 1005 Non-discrimination/Equal Employment Opportunity

This Consortium is an equal opportunity employer and training institution and makes educational and employment decisions on the basis of fairness and merit. Consortium policy prohibits unlawful discrimination based on race, color, creed, sex, and religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition, sexual orientation, or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful.

The Consortium is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the Consortium as well as training recipients and prohibits unlawful discrimination by any employee of the Consortium, including instructors, managers, supervisors, employees and students.

If you believe you have been subjected to any form of unlawful discrimination, provide a written complaint to your supervisor, instructor or appropriate Consortium manager. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The Consortium will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation. Should you be concerned about confidentiality, you may submit your complaint directly to the Executive Director of the Consortium.

If the Consortium determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination, whatever action is taken will be made known to you and the Consortium will take appropriate action to remedy any loss to you as a result of the discrimination. The Consortium will not retaliate against you for filing a complaint and will not knowingly permit retaliation by instructors, supervisory/management employees, employees or students.

## 1006 Unlawful Harassment

All personnel attending courses or employed as personnel at the South Bay Regional Public Safety Training Consortium shall adhere to a standard of conduct that is respectful and professional and consistent with guidelines set forth by the Consortium. South Bay Regional Public Safety Training Consortium expressly forbids harassment of its employees, students or other members of the general public. All inappropriate conduct will be brought to the Consortium's attention and remedied in a prompt and appropriate manner.

The Consortium is committed to providing a work environment free of unlawful harassment and all forms of sexual intimidation and exploitation. Consortium policy prohibits sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful.

The Consortium's anti-harassment policy applies to all persons attending courses as well as those involved in the operation of the Consortium and prohibits unlawful harassment by any employee

of the Consortium, including supervisors and co-workers. The Consortium is concerned and prepared to take action to prevent and correct such behavior, and individuals who engage in such behavior are subject to discipline. It is the policy of the Consortium to provide an educational, employment and business environment free of unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct or communication constituting sexual harassment as defined and otherwise prohibited by federal and state law.

Prohibited unlawful harassment includes, it is not limited to, the following behavior:

- a. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- b. Visual conduct such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- c. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
- d. Threats and demands to submit to sexual requests as a condition of continued employment, advancement, education or to avoid some other laws, and offers of employment benefits in return for sexual favors; and
- e. Retaliation for having reported or threatened to report harassment.
- f. Has the purpose or effect of unreasonably interfering with an individuals education or work performance and creating an intimidating, hostile, or offensive educational or working environment.

If you believe you have been unlawfully harassed, provide a written complaint to your own or any other Consortium supervisor or the Executive Director, who is the Affirmative Action representative for the Consortium, as soon as possible after the incident. Your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors will refer all harassment complaints to the Executive Director of the Consortium. The Consortium will immediately undertake an effective, thorough and objective investigation of the harassment allegations.

Supervisors should monitor employee's interactions to ensure that they are free of conduct which is personally unwelcome or offensive and could interfere with the ability of those individuals to work effectively.

Claims of sexual harassment will be judged from the perspective of the victim. Conduct, therefore, may be unlawful sexual harassment even when the harasser does not realize his/her conduct was objectionable.

The law provides that supervisors are personally responsible for sexual harassment whether or not specific acts complained of are authorized or even forbidden by the Consortium, and whether or not they knew or should have known of their occurrence.

If the Consortium determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Consortium to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. A Consortium representative will advise all parties concerned of the results of the investigation. The Consortium will not retaliate against you for

filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

The Consortium encourages all students and employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. The Consortium will report incidents of conduct that could amount to criminal behavior to the appropriate law enforcement agency, e.g. child molestation. It should also be pointed out that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

The Consortium will notify the employee or student that any conduct found to be sexually harassing shall be the personal responsibility of the individuals involved. The Consortium shall not indemnify the employee and deems the conduct as the sole responsibility of the harasser.

Instructors may be held responsible for acts of sexual harassment in the classroom and can become personally liable when the instructor knows or should have known, of the conduct that fails to take immediate and appropriate corrective action. Violation of this policy may result in disciplinary action or termination of assignment.

I have read and understand the above policy. Furthermore, I acknowledge that violation could result in dismissal from the course. This signed form will be required on file for those attendees who are enrolled in a course that exceeds eighty hours.

All violations of this policy shall be reported to the Executive Director of the South Bay Regional Public Safety Training Consortium who also serves as the Affirmative Action Officer.

Date: \_\_\_\_\_ Student: \_\_\_\_\_

Print name: \_\_\_\_\_