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**EFFECTIVE DATE:** January 20, 2015

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### **STATEMENT OF POLICY**

Harassment, including sexual harassment, is prohibited by the Equal Employment Opportunity Commission, the Office for Civil Rights and state regulations (*R.S. 23:301, 312, 332*), and therefore, it is the policy of Baton Rouge Community College (BRCC) that unlawful harassment of employees and students is prohibited.

**Harassment** is physical, verbal and visual conduct that creates an intimidating, offensive, or hostile environment, which interferes with work performance. This includes harassment because of race, sex, sexual orientation, religious creed, color, national origin, ancestry, disability or medical condition, age, or any other basis protected by federal, state or local law, ordinance or regulation.

### **SCOPE AND APPLICABILITY**

This policy applies to all unclassified employees, students, supervisors, managers, faculty, vendors, and all other individuals doing business with BRCC. It is the policy of BRCC that no member of the BRCC community may harass another. This includes harassment of an employee by another employee, of a student by an employee, of an employee by a student, of a student by another student. Additionally, under appropriate circumstances, BRCC may take action to protect its employees and students from harassment, on BRCC property or at BRCC-sponsored events, by individuals who are not students or employees of BRCC.

### **DEFINITION**

**Sexual Harassment** is defined by the Equal Employment Opportunity Commission as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature... when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose and effect of unreasonably interfering with an individual's work performance *or* creating an intimidating, hostile or offensive working environment.

### **GENERAL PROVISIONS**

*BRCC applies this definition to the areas of academic advancement, academic standing or academic performance.*



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Workplace harassment infringes on employees' right to a comfortable work environment, and it is a form of misconduct that undermines the integrity of the employment relationship. No employee – male or female – should be subjected to unsolicited and unwelcome overtures or conduct, either verbally, visually, physically or electronically transmitted. Although this list is not all-inclusive, examples of conduct that is prohibited includes:

- *Taking any personnel action on the basis of an employee's submission to or refusal of sexual overtures*
- *Unwelcome or unwanted conversations*
- *Unwelcome or unwanted touching*
- *Continued or repeated verbal abuse of a sexual nature*
- *Explicit or degrading verbal comments, suggestions, or slurs about another individual or his/her appearance*
- *Offensive comments regarding sexual or private matters*
- *Display of sexually suggestive pictures, objects*
- *Offensive jokes*
- *Verbal abuse, comments, names or slurs that in any way relate to an individual's race, color, sex, sexual orientation, age, religion, national origin or disability*
- *Any other offensive or abusive physical, visual or verbal conduct*

### **COMPLAINTS**

A complaint of harassment should be presented as promptly as possible after the alleged harassment occurs. Any employee who believes he/she is the subject of harassment or who has knowledge of harassing behavior must report such conduct to their direct supervisor, and BRCC Director of Human Resource at 225-216-8268, 201 Community College Drive, Governors Building Suite 100, Baton Rouge, LA 70806. BRCC Office of Human Resources shall maintain a system of recording all formal written complaints to be submitted and kept on file in the Office of Human Resources. Any student who believes he/she is the subject of harassment or who has knowledge of harassing behavior must report such conduct to student affairs personnel. He/she also may submit a complaint to the Chancellor of BRCC. No student or employee is required to report or make a complaint of harassment to the person who is allegedly engaging in the problematic conduct. In the event that an individual feels uncomfortable making a complaint at the institution level, such complaint may be made at the system level with the LCTCS Director of Human Resources at 225-219-8700, Louisiana Community and Technical College System, 822 Neosho Avenue, Baton Rouge, Louisiana 70802.

Complaints of harassment will be investigated promptly and in as impartial and confidential a manner as possible. A member of human resources will conduct investigations, unless otherwise deemed necessary, in order to assure an impartial and confidential investigation. BRCC will not tolerate any type of discipline or retaliation, direct or indirect, against any employee or other person who, in good faith, files a complaint of or responds to questions in regard to having witnessed prohibited harassment. False charges are treated as serious offenses and may result in disciplinary and/or civil action.



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Any employee or member of management who is found, after appropriate investigation, to have engaged in harassing conduct is subject to appropriate disciplinary action up to and including termination of employment and/or student standing per the institution's policies in place governing students.

Source of Policy: La. R.S. 23:301, 312, 332  
BRCC Policy #201 Equal

Related Policy: Employment Opportunities

Approved by:   
Chancellor Andrea Lewis Miller

Responsible Administrator: Human Resources

LCTCS Policy Reference: #6.011

LCTCS Guideline Reference: \_\_\_\_\_

Date: 1/20/2015