



Document Number: HR 6.011
Title/Topic: Harassment/Grievance Policy
Effective Date: 09/18/03
Revised Date: 06/30/16
09/26/17

HARASSMENT/GRIEVANCE POLICY

The Louisiana Community and Technical College System (LCTCS) seeks to maintain a workplace that fosters respect and promotes a harmonious and productive working relationship. LCTCS prohibits discrimination and/or harassment based on race, color, religion, sex (including identity and pregnancy), national origin, age, disability, genetic information, veteran status and/or any other basis protected by federal or state law by any person, applicant, vendor or contractor. LCTCS also prohibits retaliation against any individual who reports discrimination or harassment, or who participates in an investigation into discrimination or harassment.

Harassment shall mean physical, verbal and/or visual conduct that is based on an intimidating, offensive, or hostile environment, which interferes with work performance.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic credit or interferes with a person's performance, or 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.

Racial slurs, ethnic jokes, obscene gestures, posting of offensive statements, posters or cartoons, or other similar conduct based on race are examples of racial harassment.

Workplace harassment infringes on employees' right to a comfortable work environment, and it's 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.

This policy applies to all members of the LCTCS Board of Supervisors, classified and unclassified employees, faculty, vendors, and all other individuals doing business with LCTCS. It is the policy of LCTCS that no member of the LCTCS community may harass another. Additionally, under appropriate circumstances, LCTCS may take action to protect its employees from harassment and or discrimination, on LCTCS property or at LCTCS-sponsored events, by individuals who are not

employees of LCTCS.

Complaints

Every employee is responsible for reporting any unacceptable behavior or environment which may violate this policy. A complaint of harassment and or discrimination should be presented as promptly as possible after the alleged occurs. Any employee who believes he/she is the subject of harassment and or discrimination or who has knowledge of harassing and or discriminating behavior must report such conduct to their direct supervisor, and the institution's human resource department. All institutions are required to develop a system of recording all formal written complaints to be submitted and kept on file in the institution Chancellor's or Director's (as appropriate) office and in the office of the System President for those of LCTCS system office staff. No 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 (225- 922-2800), Louisiana Community and Technical College System, 265 S. Foster Dr., Baton Rouge, Louisiana 70806. Each campus is required to provide to employees a copy of this policy and post a poster with contact list identifying individual names, titles, physical location and telephone number where complaints may be filed.

Complaints of harassment and or discrimination will be taken seriously, investigated promptly and as impartial and confidential a manner as possible. A member of human resources will conduct investigations, unless circumstances dictate otherwise.

For an individual to make an intentionally false and/or malicious accusation of harassment, discrimination, and/or retaliation is a violation of this policy. Any individual found to have done so will be subject to disciplinary action, up to and including termination. This is not intended to discourage complaints and/or reports when there is sincere belief that harassment, discrimination, and/or retaliation occurred.

LCTCS will not tolerate any type of discipline or other form of 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 harassment. All employees are required to fully cooperate in any investigation. False charges are treated as serious offenses and may result in disciplinary and/or civil action.

Consequences of Violations

Any employee who is found, after appropriate investigation, to have engaged in conduct prohibited by this policy shall be subject to appropriate disciplinary action up to and including termination of employment. Also, any person or business found in violation of this policy may be prohibited from conducting business with the institution involved.

Complaint Form

Name of Complainant: _____ Date form completed: _____

Department/Institution: _____

Home Phone: _____ Business Phone: _____

1. Charge of discrimination and or harassment based on:

- | | |
|---|--|
| <input type="checkbox"/> Race/Color | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Religious Creed |
| <input type="checkbox"/> National Origin/Ancestry | <input type="checkbox"/> Disability or Medical Condition |
| <input type="checkbox"/> Age | <input type="checkbox"/> Other _____ |

2. Please provide the following information (use an attached sheet if necessary):

- 1) Date (s), time(s), and location(s) of the incident/incidences that took place

- 2) Description of each incident: e.g., Was any physical contact made? What was said and/or done?

- 3) Name(s) of anyone present during each incident

- 4) Anyone with whom you've discussed the incident/incidences

Comments:

Complainant Signature: _____ Date: _____

Complaint Recipient Signature: _____ Date: _____

RIVER PARISHES COMMUNITY COLLEGE
LCTCS

HUMAN RESOURCES POLICY REGARDING HARASSMENT

LCTCS prohibits discrimination and/or harassment based on race, color, religion, sex (including identity and pregnancy), national origin, age, disability, genetic information, veteran status and/or any other basis protected by federal or state law by any person, applicant, vendor or contractor. LCTCS also prohibits retaliation against any individual who reports discrimination or harassment, or who participates in an investigation into discrimination or harassment.

Harassment shall mean physical, verbal and/or visual conduct that is based on an intimidating, offensive, or hostile environment, which interferes with work performance.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic credit or interferes with a person's performance, or 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.

This policy applies to all members of the LCTCS Board of Supervisors, classified and unclassified employees, faculty, vendors, and all other individuals doing business with LCTCS.

No employee is required to report or make a complaint of harassment and or discrimination 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 (225-922-2800), Louisiana Community and Technical College System, 265 S. Foster Dr., Baton Rouge, Louisiana 70806.

Employee: Your direct supervisor and/or Human Resources contact at:

Donna Whittington, Director of HR, Equity/Compliance Coordinator, Title IX Coordinator

Student: Dr. Abigail Stonerock, Vice Chancellor of Academic and Student Affairs

Chancellor Dr. Dale Doty, Chancellor

LCTCS Director of Human Resources (225-922-2800), Louisiana Community & Technical College System, 265 S. Foster Dr., Baton Rouge, LA 70806

PROCEDURES FOR RESOLUTION OF HARASSMENT COMPLAINTS

RPCC has developed a two-step procedure for handling harassment and or discrimination complaints:

1. *A mechanism to resolve complaints informally;*
2. *A procedure to handle formal charges if the first procedure is unsuccessful or if further action is deemed appropriate.*

INFORMAL COMPLAINT PROCEDURES

The objective of this process will be to provide appropriate relief to the aggrieved party, sensitize the alleged harasser to the effects of such behavior and resolve the complaint to the mutual satisfaction of both parties.

1. Any employee or student who believes he/she has been the subject of harassment and or discrimination is encouraged to consult with a Division Coordinator, Department Head and/or the Director of Human Resources to gain an understanding of both RPCC Harassment Policy and of possible options and resources.
2. Students have the option of consulting with the Director of Human Resources, and/or the Vice Chancellor of Academic and Student Affairs. Faculty members and staff should report (consult) to a Division Coordinator, Department Head and/or the Director of Human Resources.
3. Upon receiving the initial complaint, the Director of Human Resources or his/her designee will schedule a preliminary meeting with the complainant to discuss the charges, to explain proper procedures and to determine whether further information is needed or if immediate action is needed. Based upon the outcome of this meeting, the administrator will take one of the following actions.
 - a. If the complainant wants to proceed with the complaint, the Director of Human Resources or his/her delegate will explain the process and the procedures.
 - b. If the complainant decides not to proceed, there will be no further action and the matter will be closed.
 - c. Every effort should be made to resolve a complaint within thirty (30) days using the informal process. During this preliminary stage, the complainant will be required to complete a Complaint Report. If the Director of Human Resources decides that the described situation fits the definition of harassment and or discrimination, he/she will request the names of the involved parties and establish an agreement to conduct an informal investigation, which will minimally include contacting the College officer responsible for the accused. Other steps that may take place in the investigative process are the following: (1) additional fact finding; (2) a meeting with the administrative officer of the accused to discuss the complaint; and (3) a meeting with the complainant and accused separately or together.

Where a resolution is reached, a dated copy of the terms of the resolution indicating the nature of the complaint and the names of the parties shall be recorded and kept in a separate case file to be located in the appropriate College office.

- d. If the informal proceedings are deemed inappropriate by either party, or if the matter is not resolved the aggrieved party may initiate the formal grievance procedure.

NOTES

RPCC will make every reasonable effort to protect the privacy of the individuals involved in informal complaints, in so far as it is feasible, considering RPCC's duty to investigate the complaint and take appropriate action.

The person filing the complaint will be protected against retaliation in any form. Words or behavior that punishes a person for filing a complaint of harassment and or discrimination is illegal.

False accusations have a damaging effect on innocent people. False accusations are not condoned and may lead to disciplinary action.

In extraordinary circumstances, when the continued working or academic relationship between the aggrieved party and the accused creates an impossible working/academic environment, a temporary transfer or reassignment of duties will be considered.

FORMAL COMPLAINT PROCEDURES

If the aggrieved party decides to proceed with a formal grievance, the following actions will take place:

1. A written and signed complaint of harassment must be submitted to the Director of Human Resources by the aggrieved party within ten (10) working days after the informal resolution has failed or within sixty (60) calendar days of the incident cited as harassment. The complaint shall state, clearly and concisely, the facts, which are the grounds for the proceeding, and the relief sought.
2. Upon receipt of the written complaint, the Director of Human Resources will, within ten (10) days, contact the person (respondent) who allegedly engaged in the harassment and or discrimination inform him/her of the basis of the complaint and provide the opportunity to respond in writing. That person will have ten (10) days to provide a written response to the complaint. The response should confirm or deny facts; indicate acceptance or rejection of the requested action; and/or outline alternatives of the actions.
3. Within ten (10) days of the aforementioned deadline, Director of Human Resources will refer the written complaint and respondent's answer to the Chancellor's Designee as defined below:
Vice Chancellor for Academic and Student Affairs in cases involving members of faculty and in cases involving students

Vice Chancellor for Finance and Administration in cases involving professional and support staff members.

The Chancellor's Designee will review the written complaint and the respondent's answer and make a written recommendation to the Director of Human Resources for one of the following:

- Dismissal of the complaint based upon inadequate evidence
 - Acceptance of the complainant's requested action(s)
 - Appropriate corrective action
4. The corrective action will reflect the severity of the incident and any past harassment and or discrimination offenses. Appropriate corrective action can include but is limited to the following:
 - a. Oral reprimand
 - b. Written reprimand
 - c. Suspension
 - d. Reassignment of duties
 - e. Termination
 - f. Counseling
 - g. Any combination of the above
 5. The Chancellor's Designee will send this decision in writing to the Director of Human Resources. The Chancellor will review the written decision and notify the Director of Human Resources within five (5) days of approval or modification of the course of action.
 6. The Director of Human Resources will respond to the complainant and the respondent in writing within ten (10) days of the outcome of the formal complaint process, proposed course of action and opportunity to respond to the proposed course of action.
 7. Either party may respond within fifteen (15) days after each party receives a written letter of the outcome of the formal complaint process and the proposed action.
 8. Written responses from each party, if received, will be reviewed by the Chancellor and a final decision provided in writing to each party within ten (10) days. Beyond that point, both parties may seek remedies outside the College.