



<b>POLICY'S TITLE:</b> <b>HARASSMENT FREE ENVIRONMENT</b>	<b>REVIEWED/REVISED:</b> Adopted: June 1992; Revised December 2008; Revised June 2020 College Council: June 9, 2021
<b>POLICY NUMBER:</b> <b>CP5305</b>	<b>APPROVED BY:</b> President's Cabinet: June 28, 2021

It is the college's intent to provide a working and learning environment free from all forms of harassment, discrimination and retaliation. The college expects its employees to accomplish their work in a respectful, professional manner at all times. The college also expects its students to participate in the learning process in a respectful, professional manner at all times.

Employees and students must avoid any action(s) or conduct that could be viewed as harassment, discrimination, and/or retaliation. Every employee and student is responsible for supporting this commitment.

## DEFINITIONS

The definitions below are not an exhaustive list of examples.

**Harassment** – Verbal, nonverbal or physical conduct that threatens, intimidates, coerces, offends or taunts another person (including sexual, racial or ethnic slurs) that interferes with the employee's ability to perform their job.

**Sexual harassment** – Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

**Discrimination** – Unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class, or retaliation for complaints related to discrimination against a protected class.

**Protected class** – A person's religion, age, sex, marital status, race, color, creed, national origin, military or veteran status, breastfeeding mother, sexual orientation, gender expression and/or identity, and any disabilities covered by the Americans with Disabilities Act (ADA).

**Retaliation** – Adverse action(s) against individuals because they have reported instances of discrimination, harassment or allegations of such conduct, or participated in or have been witnesses in any procedure to address a complaint of discrimination or harassment.

## COMMITMENT TO HARASSMENT FREE ENVIRONMENT

The college is committed to seriously addressing any form of discrimination, harassment, and/or retaliation by other employees, students, vendors, volunteers, visitors, interns, work study students, or other persons, who for any reason, are on the premises of Bates Technical College. Harassment or

discrimination based on gender, sexual orientation, religion, age, race, ethnicity, disability, or any other protected class established by law is unlawful and subject to immediate corrective action up to and including termination. Harassment that occurs via telephone call or text messages, emails, and/or other electronic communication is included in this policy. A violation of *CP5685 - Sexual Harassment* will not be tolerated and consequences may include disciplinary action, including termination.

Violations of this policy may be reported to an employee's immediate supervisor, anyone in the supervisor's chain of support, or to Human Resources. Anyone may speak to the Senior Administrator of Human Resources without filing a complaint; however, depending on what is shared, the Senior Administrator of Human Resources may be required to take further action or investigate the incident. Students may file complaints with their instructor, anyone in their instructor's chain of support, or through the Dean of Student Services. Procedures and the online reporting form are available on the college's website under "[Report Concerns](#)."

## **DIRECTIVES**

All employees regardless of position are responsible to:

- Read and comply with this policy.
- Request an interpretation of the policy from their supervisor if they are unsure whether any of their behaviors or circumstances may be a breach of the policy.
- Treat all other employees in a manner consistent with this policy and without discrimination, harassment, or sexual harassment.

In addition to the above, all supervisors, managers, and administrators of Bates Technical College are responsible for:

- Making employees aware of this policy.
- Providing, with appropriate assistance from Human Resources, interpretations to employees about potential breaches of the policy.
- Leading by example. Creating and maintaining a workplace free from discrimination, harassment, and sexual harassment.
- Watching for signs and symptoms of violations of this policy, including changes in employee behavior and conduct and being proactive in addressing them when noticed.
- Not condoning or ignoring violations of this policy or giving employees the impression that they are.
- Documenting, reporting, and responding in an appropriate and timely fashion to incidents of discrimination or harassment toward employees, applicants, volunteers or persons having business with Bates Technical College.
- Maintaining the confidentiality of all such reports to the extent provided/allowed by law.
- Taking harassment free training within six months of hire and annually thereafter.

This policy applies to all Bates Technical College employees, students, contractors, visitors, and volunteers. For represented employees, the collective bargaining agreement will supersede any provisions of this policy with which it conflicts.