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 LCTCS 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.

**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.

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

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

This policy applies to all members of the LCTCS Board of Supervisors, unclassified employees, students, supervisors, managers, 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. 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, LCTCS may take action to protect its employees and students from harassment, on LCTCS property or at LCTCS-sponsored events, by individuals who are not students or employees of LCTCS.

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 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 office and in the office of the system president for the LCTCS system office staff. 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 institution’s Chancellor. 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 (225-219-8700), Louisiana Community and Technical College System, 822 Neosho Avenue, Baton Rouge, Louisiana 70802. Each campus is required to provide to employees and students 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 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. LCTCS 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.

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.
Discrimination/Harassment Complaint Form

Name of Complainant: _____________________ Date form completed: ____________
Department/Institution: ____________________________________________________
Home Phone: _______________________ Business Phone: _____________________

1. Charge of discrimination based on:
   ( ) Race/Color                      ( ) Sex
   ( ) Sexual Orientation             ( ) Religious Creed
   ( ) National Origin/Ancestry       ( ) Disability or Medical Condition
   ( ) Age                           ( ) Other _____________________

2. Statement of Discrimination/Harassment, 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?, etc.
   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: _________________
**HUMAN RESOURCES POLICY REGARDING HARASSMENT**

Harassment, including sexual harassment, is prohibited by the Equal Employment Opportunity Commission, the Office for Civil Rights and state regulations. Therefore, it is the policy of LCTCS 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.

**Sexual Harassment** is defined 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.

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

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. Complaints should be presented as promptly as possible after the alleged harassment occurs through the following avenues for this institution.

**Employee:** Your direct supervisor and Human Resources contact at:

___________________________________________________

**Student:** Student affairs personnel at:

___________________________________________________

**Chancellor**

LCTCS Director of Human Resources (225-219-8700), Louisiana Community & Technical College System, 822 Neosho Avenue, Baton Rouge, LA 70802
LCTCS HARASSMENT COMPLAINT INVESTIGATION FORM

Investigator: ___________________ Date: ___________________
Complainant: ___________________ Location/Dept: _______________

- Take the complaint seriously and inform Director of Human Resources
- Make arrangements to conduct investigation immediately – don’t delay. **Assure that the complainant is comfortable with the person(s) assigned to conduct the investigation.**
- Determine appropriate person to conduct the investigation.
- Have a witness during the investigation.
- Document the facts each step of the investigation beginning with initial complaint.
- Maintain the confidentiality of the investigation – limit to those involved and those with a need to know.

1. **Interview the complainant:** Explore the allegations thoroughly
   - Who was the alleged harasser?
   - What is your relationship with the accused (i.e. subordinate, co-worker, personal friend)?
   - What exactly happened/nature of the harassment (comments, touching)?
   - When and where did the incident(s) occur? Be specific: dates & times.
   - Was the incident limited to one instance or was it continuing in nature? Explain.
   - How did you react to the incident(s)?
   - What did you tell the alleged harasser?
   - Can any witnesses be identified (I may need to speak to them)?
   - Is there any other evidence of the incident occurring?
   - Are you aware of any other employees that may have experienced the same or similar…?
   - Why the delay in reporting the incident (if not immediate)?
   - Are you aware of the system’s harassment policy (provide a copy)
   - Was there a specific reason for the harassment, i.e. intimidation, retaliation, or attraction?
   - How were you and your work affected by this?
   - Did you discuss the incident with anyone else?
   - What is your desired result?
   - Offer Employee Assistance Program assistance at this time, if appropriate.
• Express a genuine concern and assure the employee that you will take the complaint seriously.
• Inform him/her that retaliation will not be tolerated, and that you will follow up after the investigation.
• Instruct him/her to keep the incident & contents of discussion confidential as to not impede the investigation.

2. Interview the Alleged Harasser:
• Determine if any past problems in this or other areas.
• Inform the accused/alleged harasser of the claim (as specific as necessary) and afford an opportunity to respond to the allegations.
• Listen and document carefully.
  - Are you aware of the system's harassment policy? (give a copy)
  - Are there any witnesses to substantiate his/her position?
  - What is your relationship with the complainant?
• Communicate NO tolerance of retaliation, i.e. mistreatment of the complainant
  • Be sensitive, yet firm
  • Let him/her know how you intend to proceed and that confidentiality will be maintained to the extent possible, keeping the investigation on a need to know basis.
  • Instruct him/her to keep the incident & contents of discussion confidential as to not impede the investigation.

3. Resolve the complaint
  - Interview witnesses (consider whether to interview before or after the alleged harasser).
  - Was policy violated?
  - Was conduct of a sexual nature? Was the sexual conduct unwelcome?
  - Was harassment quid pro quo or hostile work environment?
  - Was the complainant a participant?
  - What is the emotional character of the complainant? Should EAP assistance be offered?
  - What is the accused/alleged harasser's emotional character?
  - How does the complainant want it handled?

4. Follow up:
  - With the complainant, accused/alleged harasser, witnesses, or anyone else who has an absolute need to know.
  - Apply appropriate disciplinary action.

FAILURE TO INVESTIGATE PROMPTLY AND TAKE PROMPT REMEDIAL ACTION MAY SUBJECT EMPLOYER TO LIABILITY