

SEXUAL HARASSMENT PREVENTION POLICY

A. PURPOSE

The Connecticut Technical Education and Career System (CTECS) does not tolerate workplace sexual harassment. Sexual harassment violates an individual's fundamental rights and personal dignity. CTECS considers sexual harassment in all its forms to be a serious offense.

The purpose of this policy is to define sexual harassment and provide procedures for the investigation of sexual harassment claims.

B. SEXUAL HARASSMENT DEFINED

Sexual Harassment is defined by law as any 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 to, or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual's employment, evaluation, wages, advancement, assigned duties, shifts or career development, or;
- (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

A partial list of conduct which may constitute sexual harassment includes:

- promising (directly or indirectly) an employee a reward if the employee complies with a sexually oriented request;
- threatening (directly or indirectly) to retaliate against an employee if the employee refuses to comply with a sexually oriented request;
- denying (directly or indirectly) an employee an employment-related opportunity if the employee refuses to comply with a sexually oriented request;
- engaging in sexually suggestive physical contact or touching another employee in any way that is unwelcome;
- displaying, storing, or transmitting pornographic or sexually oriented materials while at work or using employer equipment or facilities;
- engaging in indecent exposure, or;
- making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances.

Sexual harassment can be physical and/or psychological in nature. An accumulated pattern of behavior can rise to the level of sexual harassment even if each incident when considered on its own does not constitute sexual harassment. Employees are prohibited from sexually harassing other employees whether or not the incidents of harassment occur on the CTECS premises and/or whether the incidents occur during working hours.

Sexual Harassment can involve males or females being harassed by members of either sex. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

C. RESPONSIBILITIES

Employees

If an employee believes that they have been (directly or indirectly) subject to sexual harassment or any unwanted sexual attention they should report the incident to the Affirmative Action Office (AAO), Human Resources, or their supervisor.

Supervisors

Supervisors must deal expeditiously and fairly with allegations of sexual harassment within their department whether or not there has been a written or formal complaint.

Supervisors must:

- (1) act promptly to report sexual harassment or inappropriate sexually oriented conduct;
- (2) ensure that harassment or inappropriate sexual conduct is reported to the AAO, and;
- (3) take preventative measures to prohibit conduct from reoccurring.

Supervisors who knowingly allow or tolerate sexual harassment are in violation of this policy and subject to discipline.

Equal Employment Opportunity (EEO) Director or designee

The EEO Director or designee will:

- (1) ensure that both the individual filing the complaint (hereafter referred to as the complainant) and the accused individual (hereafter referred to as the respondent) are aware of the seriousness of a sexual harassment complaint;
- (2) explain the CTEC's sexual harassment policy and investigation procedures to the complainant and the respondent;
- (3) refer the complainant and/or the respondent to the CTEC's Employee Assistance Program for counseling and referral service if appropriate;
- (4) notify the police if criminal activities are alleged, and;
- (5) investigate alleged harassment and prepare a written report and recommendations to be submitted to the Executive Director and/or the Superintendent of the Connecticut Technical Education and Career System and/or designee(s).

Levy Gillespie, EEO Director has been assigned affirmative action duties and he may be reached at 39 Woodland Street, Hartford, CT 06105 or at 860-807-2071, or by e-mail at: levy.gillespie@cttech.org.

D. PROCEDURE FOR HANDLING AND INVESTIGATING SEXUAL HARASSMENT COMPLAINTS

Please refer to the **Discrimination Complaint Process**.

The AAO will maintain a file of the original charge and any follow up investigation(s). Such files will be available to investigators, to federal, state and local agencies charged with equal employment or affirmative action enforcement or any agent thereof whether or not a formal charge is filed at a federal, state, or local level.

E. RETALIATION FOR SEXUAL HARASSMENT COMPLAINTS

Retaliation for having filed or participated in a complaint or investigation of sexual harassment is a violation of state and federal laws and will not be tolerated.

F. PROTECTION OF RIGHTS

Confidentiality of these complaints is essential to the successful implementation of the procedure. Records of investigations are maintained **only** by the AAO and are kept in a separate, limited access file. The confidentiality of all investigations and counseling will be protected by the issuance of this policy.

Nothing in this procedure shall be construed as having the effect of barring any person from due process of law. Any person complaining of conduct believed to be discriminatory may file through any of the processes available to them. Additionally, if any person feels that they have been treated in a discriminatory manner by the AAO, a complaint may be filed directly with the Executive Director, Department of Administrative Services, Personnel Division, Employment Relations Division; or the Commission on Human Rights and Opportunities.

G. FILING COMPLAINTS WITH OUTSIDE AGENCIES

Deadlines: State and federal complaints must be filed with the Connecticut Commission on Human Rights and Opportunities (CHRO) and/or the Equal Employment Opportunity Commission (EEOC) within 180 days of the act of discrimination. With respect to the EEOC the filing deadline is extended to 300 calendar days if a state or local agency enforces a law that prohibits employment discrimination on the same basis.

Commission on Human Rights and Opportunities
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Hartford, Connecticut 06103
860 541-3400

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Boston Area Office
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