

Sexual Harassment Prevention Policy

Every employee is entitled to a work environment free from sexual harassment. Sexual harassment has devastating economic, psychological, and physical effects on its victims, and the cost to the employer in human and financial terms may be enormous. Sexual harassment is also illegal. Victims of sexual harassment have protection under the law, and an employer may be held liable for sexual harassment in the workplace under certain circumstances. To protect potential victims of sexual harassment, and to protect our agency, we are taking affirmative steps to increase awareness of and sensitivity to sexual harassment, and to maintain a workplace free of its deleterious effects.

Sexual Harassment and the Law

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in employment on the basis of race, color, religion, national origin or sex. The Equal Employment Opportunity Commission (EEOC) has amended its guidelines on sex discrimination to include sexual harassment as an unlawful employment practice under Section 703 of Title VII. In accordance with these guidelines, which became effective November 10, 1980, unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature will constitute sexual harassment when:

- 1. Submission to the conduct is either an explicit or implicit term or condition of employment; or**
- 2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the person rejecting or submitting to the conduct; or**
- 3. The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance, or creating an intimidating, hostile or offensive work environment.**

Such harassment is a violation of Title VII and the New York State Human Rights Law and will not be tolerated at Morrisville State College. Sexual harassment is considered a form of employee misconduct which may lead to disciplinary action. Supervisory personnel have an obligation to take all possible steps to ensure that this Sexual Harassment Policy is distributed, understood, and adhered to.

Sexual Harassment of Students

Though the guidelines are based on Title VII and apply only to sexual harassment in the workplace, these guidelines should be interpreted to apply to students as well under Title IX of the 1972 Education Amendments. Both employees and students alleging harassment may use the SUNY Discrimination Complaint Procedure (Document 6501) for information on filing a complaint which is found online at www.suny.edu. Deadline for filing grievances is, for most situations, within 90 calendar days following the alleged discriminatory act.

Should disciplinary action be found necessary, the appropriate procedure applicable under collective bargaining agreements or campus student judiciary regulations will be used. Filing a complaint with the College does not preclude a grievant from filing with outside enforcement agencies, such as the EEOC or the State Division of Human Rights.

Questions and problems may be discussed with the Affirmative Action Officer/Human Resources Officer or a Human Resources Assistant, Whipple Administration Building, Room 420 or by calling 315-684-6038. To the fullest extent possible, investigation of complaints will be conducted with due regard to confidentiality.

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