

To: All Faculty and Staff
From: Vice President of Finance
Date: November, 2020
Subject: Sexual and Discriminatory Harassment Policy

unsolicited and/or unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature directed to a person of the same or of the opposite sex when:

Submission to such conduct is explicitly or implicitly made a term or condition of employment;

Submission to or rejection of this conduct is used as a basis for an employment decision affecting the employee; or

Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

While it is not possible to list all circumstances that may be considered to be sexual harassment, some examples of conduct that may violate this policy include, but are not limited to, the following:

An unwelcome sexual advance, whether it involves physical touching or not;

Reprisal or making a threat after a negative response is made to a sexual advance;

Offering employment benefits in exchange for sexual favors;

Unwelcome leering, whistling, sexual gestures, a suggestive comment, staring, sexual flirtation or proposition;

Display or circulation of written materials or pictures that are offensive or degrading;

Damage to, trespass on or unauthorized use of property, such as spraying or scratching of a motor vehicle, damage or theft of property;

Physical contact, or threatening language or behavior;

- ‡ Other conduct that interferes with an individual's performance; limits participation in College activities; or otherwise creates an intimidating, hostile, or offensive College environment.

Procedures to report a complaint of discriminatory harassment can be found 005pt s5M6 sce.

If you believe, you are the target of sexual or other discriminatory harassment, or if you have witnessed or are otherwise aware of such harassment, you are encouraged to report the incident. You may file a harassment complaint without confronting the offender. Employees who are subject to sexual or discriminatory harassment should immediately report such conduct to their supervisor or, if you prefer, to the Human Resources Department. If your supervisor is the harasser, the behavior may be reported to any other manager or supervisor; or to the Human Resource Department. You may also call anonymously to the Reporting Hotline, at 574.239.1069. All complaints will be promptly investigated.

Director of Human Resources
Title IX Coordinator
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Violations of this policy by a student must be reported in accordance with the Complaint Reporting Options in the Student Handbook.

A complaint will trigger a prompt response in accordance with the procedures outlined below. Individuals may also file a complaint, either separately or concurrently (within the agency's regulatory timeframe), with the United States Equal Employment Opportunity Commission. Holy Cross College will not tolerate retaliation of any sort against an employee for making a good faith complaint.

After an individual reports an incident of harassment or discrimination, the reporter may be asked, but is not required, to complete and sign a written report of the incident.

The College will promptly inform the accused that a complaint has been filed against him/her while preserving confidentiality as described in this policy.

At this point, if the reporter so chooses, and if the accused agrees, the College will attempt informally to resolve the complaint in a manner acceptable to all parties. If the reporter does not wish to pursue an informal resolution of the complaint, or if an acceptable resolution cannot be found, the College will begin a formal investigation of the allegations.

The investigation will, at a minimum, include interviews with all complaining parties, the accused part(y/ies) and witnesses, if any, and completed as quickly as practical. The person officially conducting the investigation will attempt to preserve the confidentiality of all parties involved, so far as is consistent with a thorough investigation, and will keep the complainant and the alleged harasser informed of the progress of the investigation. Upon the conclusion of the investigation, the College will make a determination and communicate the results to the complaining part(y/ies), to the alleged harasser(s), and, as appropriate, to all others directly concerned. If harassment is proven, the College shall take prompt and effective action that shall include:

- Appropriate action against the harasser(s);
- Communication of the action to the complaining party(y/ies);
- Steps to prevent further harassment; and

If appropriate, action to remedy the complaining part(y/ies)' loss.

Violators of this policy will be subject to appropriate discipline, up to and including immediate termination of employment.

Effective Date: November 2020

Review Date: November 2021

Contact for questions: Director of Human Resources

Action: All employees of the College shall follow the contents of the policy