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College Procedure: 401.3 – Harassment

Policy Reference:	401 – Non-Discrimination in Employment 102 – Non-Discrimination
Responsible Department:	Human Resources
Approval Authority:	Cabinet
Procedure Owner:	Vice President, Human Resources and Institutional Effectiveness
Effective Date:	10/19/2011
Version Number:	3
Legal Counsel Reviewed (yes/no):	No
Scope:	College-wide

Reason for Procedure

Kirkwood Community College is committed to providing a professional work environment that is free of harassment. Harassing conduct, regardless of whether it rises to the level of harassment prohibited by law, is not tolerated. The reason for this procedure is to ensure that we offer a work environment that is free of physical, psychological and verbal harassment.

The Procedure

Harassment consists of unwelcome conduct that unreasonably interferes with an individual's work performance and creates an intimidating, hostile or offensive work environment, or affects an employee's tangible job benefits. This prohibited unwelcome conduct includes conduct based on sex, race, color, creed, religion, national origin, age, sexual orientation, gender, gender identity, genetic information, physical attributes, physical or mental ability, veteran status, socioeconomic status and actual or potential parental, family or marital status. Harassment of any individual or group, not just those in a protected class, will not be tolerated by Kirkwood Community College.

Sexual harassment encompasses any sexual attention, from either gender, that is unwanted and is defined as unwelcome advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission is expressed or implied as a condition of employment or status in a class, program or activity.
- Submission to or rejection of the behavior is used to make an employment or educational decision such as hiring, promotion or grading a course.
- The conduct has the purpose or effect of unreasonably interfering with a person's work or educational performance or creates an intimidating, hostile or offensive environment for work or learning, including harassment in the Kirkwood environment from an outside party, such as a vendor.

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Sexual harassment may take many forms, for example:

- Unwanted physical contact.
- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion or grades.
- Direct propositions of a sexual nature.
- Comments of a sexual nature.
- Sexually explicit statements, questions, jokes or anecdotes.
- Unnecessary touching, patting, hugging or brushing against a person's body.
- Remarks of a sexual nature about a person's clothing, body, sexual activity or previous sexual experience.

Any person who believes that they have been the recipient of a discriminatory or harassing act may file a complaint with:

- Vice President, Human Resources, Wes Fowler at
  Kirkwood Community College, 313 Kirkwood Hall, 6301 Kirkwood Blvd., SW
  Cedar Rapids, IA 52404, or by phone to (319) 398-5572, or email to
  wes.fowler@kirkwood.edu or
- Vice President, Student Services, Melissa Payne
  3036C Iowa Hall, at (319) 398-5584, or email melissa.payne@kirkwood.edu or
- Vice President, Academic Affairs, Jennifer Bradley, 3060 Cedar Hall,
  at (319) 398-5537, or email to jennifer.bradley@kirkwood.edu or
- The Director of the Office for Civil Rights, U.S. Department of Education, Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582, Telephone:(303) 844-5695FAX: (303) 844-4303, TDD 800-877-8339 Email:OCR.Denver@ed.gov.

If you witness or experience harassment or sexual harassment, we strongly encourage you to report the incident immediately.

If an investigation confirms that a violation of this procedure has occurred, Kirkwood Community College will take corrective action with the offending employee, up to and including immediate termination of employment.

Retaliation against persons filing a complaint or for assisting in the investigation following the filing of a complaint is strictly prohibited.

It is the responsibility of the Manager/Supervisor to ensure employees are trained on this procedure.

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Revision Log

Table 1 Revision Log

Version Number	Date Approved	Approved by	Description of Change
1	10/19/2011	Jim Choate, Vice President, Finance	New procedure
2	05/15/2017	Mick Starcevich, President	New template
3	07/10/2019	Cabinet	Procedure template