

**GENERAL ORDERS MANUAL  
WESTERN MICHIGAN UNIVERSITY  
DEPARTMENT OF PUBLIC SAFETY**

**I. PURPOSE**

The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigation and resolution of complaints of harassment, sexual or otherwise.

**II. POLICY**

It is the policy of Western Michigan University and therefore, WMU Public Safety, that all employees have the right to work in an environment free of all forms of harassment. The department does not condone and will not tolerate any harassment. Therefore, this department shall take direct and immediate action to prevent such behavior, and investigate all complaints of unlawful workplace harassment, consistent with Michigan law. (1.5.5.e) Any such complaint or knowledge of a complaint will be forwarded to the WMU Office of Institutional Equity and the Title IX office for investigation as well.

**III. PROCEDURE**

**A. Prohibited Activity**

1. No employee shall explicitly or implicitly ridicule, mock, deride or belittle any person.
2. Employees shall not make offensive or derogatory comments based on race, color, sex, religion or national origin, either directly or indirectly, to another person. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by this department.
3. Such harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - a. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment; or
  - b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
  - c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

B. WMU Campus Resource Guide

The University expects all community members to help create a safe, welcoming and respectful environment on campus. In 2015, WMU implemented the Sexual and Gender-Based Harassment and Violence, Intimate Partner Violence, and Stalking Policy and Procedures.

1. Investigation Process through the University:

A trained, neutral Title IX investigator will explain the reporting/investigation process to the person bringing forth the report. The investigator will listen and discuss temporary actions and available resources. In the investigation process, individual interviews will be conducted with each person involved, including any witnesses. Both parties will be notified of the investigation outcome. A finding of “responsible” for violation of the sexual misconduct policy will be forwarded for disciplinary review to the Office of Student Conduct or Human Resources/Collective Bargaining, as appropriate.

If the elements of a crime are present, an employee may also choose to pursue criminal charges with a police department while the University investigation is underway. Any crimes occurring on campus will be investigated by WMU Public Safety.

2. Reporting the Incident to University Officials

As a victim/survivor, a witness or someone who has learned of a violation, an incident may be reported to one or more of the following places:

- a. WMU Title IX Coordinator through the Office of Institutional Equity
- b. Online reporting of sexual misconduct/harassment may be completed anonymously at [wmich.edu/equity/sexualmisconduct](http://wmich.edu/equity/sexualmisconduct)

C. Complaint Procedures

1. Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
2. Any employee who believes that he/she is being harassed shall report the incident to his/her supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated. The incident may be reported in writing, via email or in person. (1.5.5.a) When it is not practical, the employee may instead file a complaint with the Chief or Deputy Chief. (1.5.5.b)
3. This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency, especially if the actor-complainant relationship or supervision creates a conflict of interest or if the actor is the chief executive officer. Following is a list of such agencies for example and is not intended to be all inclusive:
  - a. Michigan Department of Civil Rights
  - b. U.S. Equal Employment Opportunity Commission

- c. Michigan Employment Security Agency
- d. Michigan Women's Commission (1.5.5.c)

**D. Employee's Responsibilities**

1. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
  - a. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
  - b. Counseling all employees on the types of behavior prohibited, and the department procedures for reporting and resolving complaints of harassment;
  - c. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision; and
  - d. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.
2. Each supervisor has the responsibility to assist any employee of this agency, who comes to that supervisor with a complaint of harassment, in documenting and filing a complaint with Title IX and the Chief or Deputy Chief.
3. Each employee of this agency is responsible for assisting in the prevention and reporting of harassment, even if the employee is not one of the actors or involved with the harassment, through the following acts: (1.5.5.d)
  - a. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
  - b. Reporting acts of harassment to a supervisor; and
  - c. Encouraging any employee, who confides that he/she is being harassed, to report these acts to a supervisor.
4. Failure to take action to stop known harassment shall be grounds for discipline.

**Issued Date:** 3/17/2020

**Issued by:**



**Scott Merlo**  
**Director of Public Safety**