

ADMINISTRATIVE PROCEDURES

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| Title: METHODS FOR PROCESSING HARASSMENT ALLEGATIONS, INCLUDING SEXUAL HARASSMENT | Identification: 2.03 |
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| | Effective Date: 3/10/06 |
| Authority: SBE 6A -14.0261 F.S. 1001.64; 1001.65; 1000.05 | Signature/Approval: Dr. Gwendolyn W. Stephenson |

PURPOSE

This administrative procedure provides guidelines for filing a complaint containing harassment allegations, including sexual harassment.

PROCEDURE

Any employee, student or applicant for employment or admission who believes he/she is the victim of harassment based on sex, pregnancy, sexual orientation, race, national origin, color, age, religion including unwelcome religious persuasion, disability, marital or other protected status may initiate a complaint against the individual allegedly charged with harassment. Harassment includes, but is not limited to any slurs, innuendoes or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender, religion, sexual orientation or disabling condition which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities.

The following procedural steps must be followed:

1. An employee, applicant or student who is the alleged victim of harassment must report the incident to the Office of Equity within ninety (90) days after the date of the incident. A student or applicant for admission who is the alleged victim of harassment should report the incident to the campus Dean of Student Services or to the Office of Equity. College personnel who are told of allegations of harassment by other employees or students must report the matter to the Office of Equity. An applicant for employment should report any incident of alleged discrimination to the Director of Human Resources or to the Assistant to the President, or to the Office of Equity.
2. If an employee or student suffers harassment from a supervisor or any employee, student, customer, vendor or consultant and is not comfortable reporting the harassment to a Dean, an immediate supervisor, or if a complaint concerning another employee, student, customer, vendor or consultant is not handled satisfactorily, immediately contact the Assistant to the President. Any person utilizing this complaint resolution procedure will be treated courteously and the problem will be handled swiftly.

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and as confidentially as feasible in light of the circumstances, with appropriate corrective action. The registering of a complaint will in no way be used against an employee or student or have an adverse impact on the individual's employment or student status. A record of the complaint and findings will become a part of the complaint investigation record and a file will be maintained in the Office of Equity.

3. The complainant will be advised of the procedure for resolving harassment charges.
4. The Office of Equity will arrange meetings with the complainant and the respondent to discuss the elements of the allegations and attempt to resolve the issue before a formal complaint is filed. The complainant will never be required to confront the harasser. At these initial meetings, the facts will be recorded to determine if there are any witnesses and to explore the possible options that are available to the complainant. The respondent's position will also be explored and clearly stated. The office will mediate and conciliate all complaints to the fullest extent of College policy.
5. If the complainant is not satisfied with the reconciliation results, the procedures for filing a formal complaint under the HCC Discrimination Complaint and/or Equal Access/Equal Opportunity Guidelines will be reviewed. The office will furnish the complainant a copy of the Discrimination Complaint form, which must be completed to initiate the formal complaint process. If HCC finds no validity in the allegation(s) or the complainant does not accept the suggested remedies, the complainant will be advised of his/her right to pursue the charge outside the College.
 - A. The office will review each allegation and determine if the complaint is covered by any federal or state law, rule or regulation and complete all official actions toward the final resolution of a complaint received by the College or referred by a civil rights enforcement agency, within forty-five (45) calendar days after receiving a harassment complaint.
 - B. When there is reasonable cause to believe that the alleged harassment did in fact occur, HCC will move to resolve the issue by suggesting appropriate remedies. The Assistant to the President will meet with the complainant to review the resolution of the complaint. Where the resolution involves disciplinary action, the Assistant to the President will meet with the employee's administrative supervisor to review the report and recommendations. The employee's immediate administrative supervisor will meet with the employee to review the recommendation and to implement appropriate corrective action.
 - C. Retaliation against individuals who file complaints of discrimination is expressly prohibited by law and college policy.

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D. The filing of false or frivolous claims will not be tolerated.

History:

Adopted 10/25/85; Revised 03/25/86; 11/21/86; 01/08/87; 01/11/88; 08/21/90;
01/18/91; 08/30/91; 10/08/91; 11/09/83; 08/31/00. Formerly 2040
