



Wallace Community College Selma

2022 Annual

HARASSMENT AWARENESS TRAINING

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Agenda

- Define Harassment
- Alabama Community College System (ACCS) Definition of Sexual Harassment
- Identify when conduct can be defined as Harassment as defined in the ACCS Manual
- Discuss the Importance of Perception
- Identify the Types of Harassing Behavior
- Review WCCS' Expectations Regarding Harassment
- Address how to respond to the Harasser
- Management Responsibilities
- Summary
- Quiz





Objectives

- Identify examples of harassment in the workplace and classroom environment
- Recognize how a person's perceptions can be different from the intention of the perceived harasser
- Identify the most common type of Harassment
- Pinpoint when the behavior violates the ACCS Policy Guide's definition of Harassment
- Understand how to respond to a situation, document, and report Harassment



Definition of Harassment

Harassment is any unwanted and unwelcomed behavior that creates an intimidating, hostile, or offensive work (or academic) environment.





ACCS' Definition of Sexual Harassment

Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students.

- Sexual harassment does not refer to occasional compliments; it refers to behavior of a sexual nature. Sexual harassment may involve which interferes with the work or education of its victims and their co-workers or fellow students.
- The behavior of a person of either sex against a person of the opposite sex or the same sex, and occurs when such behavior constitutes unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature.
- Harassment of employees or students by non-employees is also a violation.

All forms of harassment are a violation of ACCS policy and will not be ignored, tolerated or accepted.



When Harassing Conduct Violates WCCS' Policy

1. The conduct must be unwelcomed, or unwelcomed and based on the victim's protected status.
2. Subjectively abusive to the person affected.
3. Objectively **severe** and **pervasive** enough to create a work environment that a reasonable person would find hostile or abusive.



What is Severe and Pervasive?

1. What was the frequency of the unwelcomed conduct?
2. What was the severity of the conduct?
3. Was the conduct physically threatening or humiliating?
4. Did the conduct unreasonably interfere with work (or academic) performance?

*****These are all determined on a case-by-case basis*****



Perception

- Harassment is in the “eye of the beholder.”
- It doesn't matter how the person intended the action to be taken, but how it was ultimately received.
- A person or persons should also be aware of how behaviors are taken by others “on the outside, looking in.” This can also lead to 3rd Party Harassment.



Types of Harassment





Types of Harassment

➤ **Quid Pro Quo**

(A favor or advantage granted or expected in return for something).

➤ **Hostile Work or Academic Environment**

➤ **Bullying**

➤ **Physical Harassment**

➤ **Verbal Harassment**

➤ **Visual Harassment**

➤ **Sexual Harassment**

➤ **Social Media or Cyber**



Quid Pro Quo

- Also known as “This for That.”
- When submission to or rejection of unwelcomed advances or conduct is used as the basis for an employment decision.



Hostile Work (or Academic) Environment (1 of 2)

- Created when aggression or unwelcomed behavior unreasonably interferes with an individual's job (or academic) performance
- Creates an intimidating, hostile, or offensive work (and learning) environment, regardless of whether or not it leads to more money, job advancement, or academic success.



Hostile Work (or Academic) Environment (2 of 2)

- Generally, a single or isolated incident is not enough to create a hostile work (or academic) environment.
- However, a single, or unusually severe incident of harassment may be sufficient to warrant a claim.



Bullying (1 of 2)

- The deliberate, hurtful, repeated, mistreatment of personnel driven by a desire to control.

Examples:

- 1) Constant and unfair criticism
- 2) Social bantering and teasing
- 3) Yelling, shouting and screaming
- 4) Behind the back insults and put downs
- 5) Hostile glares
- 6) Intimidating gestures



Bullying (2 of 2)

- Threats of aggression or violence
- Monopolizing supplies & other resources
- Malicious gossiping
- Inappropriate e-mails, texts, social media updates



Physical Harassment

- Horseplay can constitute harassment
- Touching, grabbing, pinching, rubbing, or any unwanted physical contact
- Impeding or blocking someone's movement
- "No" means No!
- "Stop", means Stop!



Verbal Harassment

- Inappropriate comments about an individual's body, appearance, or culture.
- Derogatory, explicit, or offensive comments
(*I.e., Racially charged comments, gestures, or jokes*)
- Repeated unwelcomed propositions or flirtations; dirty jokes
- Veiled Threats
- Discussing sexual activities, or innuendos
- Profanity



Visual Harassment

- Offensive or indecent gestures.
- Pictures, cartoons, or drawings displaying sexually suggestive (or racial insensitive) material.

[E.g. Pornography; Black dolls hanging from a noose; White Supremacist Propaganda; Swastikas, etc.]

- Indecent exposure of person



Sexual Harassment

4 Types of Sexual Harassment

Verbal/ Written

Remarks of a sexual nature about a person's clothing, personal behavior, or body. Sexually explicit statements, questions, jokes, or anecdotes.
Requesting sexual favors or dates.
Spreading rumors about a person's personal or sexual life.
Coercion of sexual activity by threat of punishment.
Excessive and unwelcomed flirting.

Physical

Impeding or blocking a person's physical movement.
Inappropriate and unwanted touching of a person and/or their clothing.
Other inappropriate touching including kissing, hugging, patting, stroking, or rubbing.
Playing music with offensive or degrading language.
Purposefully brushing up against another person.

Non-Verbal

Looking a person's body up and down.
Making derogatory gestures or facial expressions of a sexual nature.
Frequently following or standing too close to a person on purpose.
Whistling or staring in a sexually suggestive or offensive manner.

Visual

Displaying sexually suggestive objects, pictures, cartoons, posters, calendars, or computer screens.
Showing other people sexually suggestive text messages or emails.
Sharing sexually inappropriate images or videos, such as pornography, with co-workers.

The law defines sexual harassment as unwelcome verbal, visual, non-verbal or physical conduct of a sexual nature or based on someone's sex that is severe or pervasive and affects working conditions or creates a hostile work environment.

For more information: U.S. Equal Employment Opportunity Commission (EEOC) / www.eeoc.gov



Social Media Harassment

- Technology can serve as a delivery method for harassment, sexual harassment, and bullying behaviors.
- Unlawful conduct such as Sexual Harassment is not limited to the physical workplace (or academic setting).
- Online harassment can occur during (or after) regular business hours.
- Virtual (or online) harassment is becoming a widespread issue & prohibited by WCCS and ACCS.



Workplace (or Academic) Environment





Workplace (or Academic Setting) Dating

Why We Give In?

- Human Nature.
- Spend significant time working together.
- Limited opportunities to meet other people.

What's the Harm?

- Complaints of Favoritism.
- Jealousy.
- Gossip.
- Workplace distractions.
- Appears as an inappropriate use of power.



Sexual Activity

- There's no appropriate sexual activity at work (or in the academic environment).
 - Not just intercourse
 - Examples include intimate touching, kissing, and physical contact in the workplace or Academic Environment
 - All areas are off-limits (i.e., Gym, parking lots, restrooms, break rooms, etc.)
- Whom you're attached to, married to, or dating at WCCS doesn't matter.



Fairness (1 of 2)

- Recognize Individuals Based on Contribution & Academic Proficiency
- Promote all individuals fairly
- Allocate opportunities to individuals based on their potential, not on family or other connections (E.g., Fraternities, Sororities, political affiliations, etc.)
- Separate individuals on the same team (*or in the same classroom*) who are intimately related
- Identify and place good people appropriately in the workplace (*or academic environment*) irrespective of family connections.



Fairness (2 of 2)

➤ Avoid Nepotism

- Supervisors, Manager, or Professors may not hire, promote, or participate in the hiring decisions (or promotion) of an immediate family member.
- Supervisors, Manager, or Professors may not be involved directly or indirectly in the disciplinary decisions of an immediate family member.

NOTE: Family Member = *Spouse; Child; Parent; Sibling; In-Laws; Grandparent; Grandchild; Dependents on Federal Tax Returns; or anyone that you have an intimate relationship.*



Know the F.A.C.T.S.

- **F**amiliarize yourself with the WCCS Policy and ACCS Guidelines regarding Harassment
- **A**ddress incidents of harassment immediately.
- **C**ooperate with the investigation.
- **T**horough investigation must be completed.
- **S**atisfactory resolution.



Familiarize Yourself with WCCS Policy & ACCS Guidelines

- WCCS has a **Zero** tolerance approach to harassment
 - Disciplinary Steps
 - Warning
 - Suspension or Suspension Pending Investigation
 - Termination
- ACCS will enforce the Federal & State Law pertaining to Harassment, Sexual Harassment & Workplace Discrimination (to include the Academic environment)
- WCCS & ACCS will take all forms of harassment seriously and will thoroughly investigate claims and alleged incidence(s)



Respond to the Harasser

- Tell the harasser to **STOP** and make it clear that you are offended by the behavior

- Document the incidents of harassment (Be very specific)
 - Names of the individuals involved
 - Date(s)/Time of day
 - Location(s)
 - Stick to the facts when providing details & instances of harassment
 - Keep all communication professional





WCCS

- All Team Members/Students are encouraged to report harassment incidence(s) to immediately!
- Report incidence(s) to:
 - Departmental Leaders (E.g. Dean of Students)
 - Human Resources
 - Office of the President (WCCS)





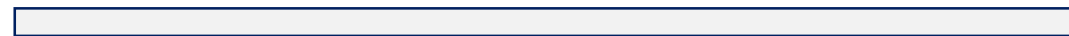
Leader's Responsibility





Harassment Statistics

- 90% of workplace harassment is never officially reported (including academic settings)
- 40-70% of women experience some form of workplace harassment (including academic settings)
- 10-20% of men experience some form of workplace harassment (including academic settings)
- Less than 10% of those incidences are reported.





Leaders' Responsibilities

(1 or 2)

- Be a role model 24/7 on and off-duty by setting the example
- Model the behavior you want to see at WCCS in your respective department
- Act immediately if a harassment claim is brought to your attention
- Be responsible and take the appropriate action
- Document all parties involved in the incident (E.g. Victim, aggressor(s), and the witness(es))
- Keep an open mind & don't judge or place blame



Leaders' Responsibilities

(2 or 2)

- Seek out assistance from the Human Resources Department when in doubt
- Make yourself available for interviews and fully cooperate with the investigative process
- Report physical or violent in nature acts immediately to the Human Resources and the WCCS Campus Police Departments



Investigation Process

- Fully cooperate and don't withhold pertinent information to the case
- Answer questions to the best of your ability
- Statements provided are kept confidential and on a **need-to-know basis**
- Once HR is notified, the investigation process will start
- Title IX Coordinator and HR will ensure that the investigation is conducted **thoroughly & completely**
- The rights, dignity, and respect of all parties involved will be protected



Satisfactory Resolution

- Harassment must be approached objectivity and sensitivity
- Based on the investigation, HR will share the conclusion with the parties involved & WCCS' Office of the President
- Retaliation (a/k/a Reprisal or Vindictiveness) of any kind is prohibited



Retaliation

- Per WCCS Policy:
 - Leadership must not allow a malicious environment between Faculty, Staff & Students to exist
 - Leadership cannot take malicious actions towards any member of the Faculty, Staff or Student Body
 - ❖ Examples include:
 - 1) Withholding grades or the inability to take exams
 - 2) Denial of Promotions/Academic Advancement
 - 3) Unsanitary work (or classroom) environment
 - 4) Alienating victims by others
 - 5) Abrupt changes in work (or class) schedule (or course contact hours)
 - 6) Sudden changes in duty location & responsibilities



Summary

- Harassment of any kind is wrong
- WCCS is committed to fostering an environment where Faculty, Staff & Students can be inspired to learn, grow, and strive for excellence
- WCCS will not find any person guilty of harassment without proof
- If you're filing a harassment claim, **make sure you have witnesses, facts, and proper documentation**
- Report harassment immediately!



Important Resources

- WCCS Human Resources Department
- Office of the President
- American Red Cross
- State of Alabama Attorney General's Office
- Federal EO/EEO Commission

Certificate

- Please contact HR upon completion to acquire your certificate.