



**Category**

**POLICY: 2-01 Non-Discrimination, Non-Harassment , & Sexual Assault**

**Approval**

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| LT Approved:  |
| Effective Date: 07/01/2022                          |
| Revised: August 2022                                |
| Responsible Party: Vice President, People & Culture |

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**Non-Discrimination, Equal Employment Opportunity**

It is the policy of WSU Tech (“College”) to provide equal employment opportunity in employment to all employees and applicants for employment. No person is to be discriminated against in employment because of race, religion, color, sex, age, genetic information, sexual orientation, gender identity, national origin, pregnancy, disability, military status or any other classification protected by applicable local, state or federal law. This policy applies to all terms, conditions, and privileges of employment. Any employee who feels he or she is the victim of discrimination has a responsibility to report this fact to the employee’s supervisor or, if the supervisor is the subject of the complaint, or the complaint would otherwise not be appropriately made to the supervisor, the College’s President or Vice President, People & Culture (P&C).

Although the College does not discriminate on the basis of citizenship, it is required to comply with federal laws to ensure that its workforce is legally eligible to work in the United States. To assist the College in complying with these laws, it is the responsibility of every employee to notify the Vice President, P&C of any change in his or her eligibility to work in the United States.

**Non- Harassment, Productive Work Environment**

It is the policy of the College to promote a productive work environment and not tolerate verbal or physical conduct by any employee that unlawfully harasses, disrupts, or interferes with another’s work performance or that creates an intimidating, offensive or hostile environment.

Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of unlawful harassment will be tolerated, including harassment for the following reasons: race, religion, color, sex, age, genetic information, national origin, pregnancy, disability, military status, or any other classification protected by applicable local, state or federal law.

Each supervisor and manager have a responsibility to keep the workplace free of any form of unlawful harassment. No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee’s refusal or willingness to submit to sexual advances will affect the employee’s

terms or conditions of employment. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisory staff, non-supervisory employees, or non-employees, is also prohibited. This conduct includes:

1. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions.
2. Verbal abuse of a sexual nature such as lewd comments, sexual jokes or references, and offensive personal references.
3. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's appearance.
4. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs; and
5. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct, or other offensive conduct, directed at individuals because of their race, national origin, color, religion, disability, pregnancy, age, military status, or any other classification protected by applicable local, state or federal law is prohibited.

#### Reporting:

An individual who believes he or she has been subjected to harassment is advised to make it clear to the offender that such behavior is offensive. Early informal methods are often effective in correcting questionable behavior or resolving incidents of possible harassment. If such methods are not possible or have not resolved the matter, then the matter should, as soon as possible, be brought to the attention of the employees' supervisor or, if the supervisor is the subject of the complaint, or the complaint would otherwise not be appropriately made to the supervisor, the College's President or Vice President, P&C. This will ensure that prompt efforts will be made to help assess the situation and determine what informal or formal steps are necessary.

Employees with knowledge or belief of conduct which may constitute harassment or discrimination need to report the alleged conduct immediately to the Vice President, P&C. If a supervisor or manager becomes aware that any of this type of conduct is occurring, either from personal observation or because of an employees' coming forward, the supervisor or manager must immediately report it to the Vice President, P&C.

Outside of administrative hours (8:00 a.m. to 5:00 p.m. reports may be made to the College President or VP of People & Culture via email.

Vice President, People & Culture ([HRDirector@wsutech.edu](mailto:HRDirector@wsutech.edu))  
The College President ([President@wsutech.edu](mailto:President@wsutech.edu))

All reports or complaints under this policy will be referred to department of People & Culture for inquiry and resolution.

If a member of People & Culture is the person accused of the harassment or discrimination, or if the P&C member has a conflict of interest or the appearance of a conflict of interest, the President will designate an interim to handle the complaint.

The College has an obligation to address allegations and suspected instances of sexual harassment, discrimination, or sexual assault when information is obtained that would lead a reasonable person to believe that this policy has been violated. The College is not precluded from taking any action it deems appropriate, including informing the alleged harasser of the complaint and pursuing an inquiry even in cases when the complainant is reluctant to proceed.

All complaints of harassment, discrimination, or sexual assault will be addressed promptly and in as impartial and discrete manner as possible. Employees are required to cooperate in any fact-finding activity. A timely resolution of each complaint will be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in a fact-finding activity is strictly prohibited.

#### People & Culture Procedure:

Upon receiving a report of a potential violation of this policy, the Vice President, P&C may take appropriate interim measures to ensure the safety and non-retaliation for all parties. Examples of interim measures include but are not limited to, separation of the parties, no contact directives, alternative work arrangements, and Administrative Leave.

A P&C representative will conduct an inquiry into allegations pertaining to violation of this policy. The P&C representative will:

1. Ensure that both the individual filing the complaint (hereafter referred to as the “complainant”) and the accused individual (hereafter referred to as the “respondent”) are aware of the seriousness of sexual harassment, discrimination, or assault.
2. Explain WSU Tech’s policy and inquiry procedures to the complainant and the respondent.
3. If applicable, discuss non-formal options to resolve the issue with the complainant (referral to counseling/mediation, training, etc.).
4. Gather information concerning the complaint by conducting interviews and collecting information related to the complaint.
5. Notify the police and the Vice President, P&C if criminal activities are identified.
6. Prepare a written report of all the facts gathered to present to the Vice President, P&C.

The Vice President, P&C will:

1. Review the written report with the P&C Representative.
2. Determine if a violation of policy has occurred.
3. If a violation is deemed to have occurred, meet with the respondent to give them an opportunity to provide a written statement regarding the evident violation(s). Such a statement, if any, will be included with information provided to the President.

4. Recommend remedial action to the President. Remedial action may include informal resolution or corrective action, up to and including termination of employment.
5. Following the President's decision, report findings to the complainant.
6. Not with-standing WSU Tech policy #5-12 which requires a minimum notice period for non-provisional faculty, meet with the respondent to inform of remedial actions to be taken.

The President will:

1. Review the report submitted by the Vice President, P&C along with any written statement provided by the respondent.
2. Affirm, modify, or reverse the recommendations of the Vice President, P&C. The President's decision is final and cannot be appealed.

Any employee or supervisor who is found to have violated this harassment policy will be subject to appropriate disciplinary action, up to and including immediate termination. The College prohibits any form of retaliation against employees for bringing forward bonafide complaints or information about suspected harassment. However, if an investigation of a complaint shows that the complaint or information was false, any individual who knowingly provides false information will be subject to disciplinary action, up to and including immediate termination.