

**CAL POLY POMONA FOUNDATION, INC.**

**POLICIES AND PROCEDURES**

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| <b>Subject:</b>   | <b>Policy Against Unlawful Harassment</b> | <b>Policy No.</b> | <b>211</b>                |
|                   |   | <b>Old No.</b>    | <b>1981-2</b>             |
| <b>Reference:</b> | <b>151-II-B, 303-II-B, 345-III-C</b>      | <b>Date:</b>      | <b>12/10/81</b>           |
|                   |   | <b>Revision:</b>  | <b>06/19/01, 01/01/11</b> |

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**PURPOSE:**

- A. This policy is established to comply with State and Federal laws relating to unlawful harassment in employment and to provide internal procedures by which allegations of unlawful harassment may be filed, investigated in a timely manner, and adjudicated fairly.

**POLICY:**

- A. The Foundation is committed to providing a work environment that is free of unlawful discrimination and unlawful harassment. In accordance with this commitment, the Foundation maintains a strict policy prohibiting unlawful harassment, such as sexual harassment. This policy applies to all employees and applicants for employment. It is intended to prohibit unlawful harassment in any form including verbal, physical, visual harassment, or unlawful harassment via electronic communications.
- B. Sexual harassment includes, but is not limited to making unwanted sexual advances and/or requests for sexual favors where either:
1. Submission to such conduct is made an explicit or implicit term or condition of employment;
  2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
  3. Such conduct has the purpose of effect or substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- C. Employees who violate this policy are subject to disciplinary action, including dismissal and may be personally liable to the offended party under law.
- D. The Foundation takes unlawful harassment seriously, and will take appropriate steps to address and resolve complaints, and will adjudicate substantiated complaints based on the severity of the situation given all of the circumstances.

## **PROCEDURES**

### **A. General**

Any employee or applicant for employment who believes that he/she has been harassed unlawfully by a co-worker, supervisor, or other person including any person doing business with or for the Foundation, should promptly report the facts of the incident or incidents and the name of the offending party to his/her supervisor and to the Employment Services Director. Employees and applicants also have the right to file a complaint with the Department of Fair Employment and Housing (DFEH). No employee shall be retaliated against in any way by the Foundation for using these procedures.

Managers and supervisors shall immediately report any complaints of unlawful harassment to the Employment Services Director. Once notified, the Employment Services Director will be responsible for ensuring a fair and complete investigation takes place, which shall commence within three business days of receipt of the complaint. At the conclusion of the investigative process, which shall not take longer than 30 calendar days without approval from the Executive Director, whenever a complaint has been substantiated, the Employment Services Director will make a recommendation for corrective action(s) and /or disciplinary action(s) , to the appropriate department head and the Executive Director.

The Employment Services Director shall communicate the final outcome of the results of the investigation to the reporting employee along with recommended correction actions, within 3 business days of acceptance of the recommended corrective action(s) from the Executive Director.