

**The Connecticut Agricultural Experiment Station
November 16, 2015**

**SEXUAL HARASSMENT PREVENTION POLICY
AND
COMPLAINT PROCEDURE**

PURPOSE

It is The Connecticut Agricultural Experiment Station's (CAES) policy that all employees, volunteers, contractors, subcontractors, visitors, parties and others (collectively, covered individuals) have a right to work, fully participate in CAES proceedings, and otherwise be in an environment free of discrimination, which encompasses freedom from sexual harassment. CAES shall investigate and provide appropriate discipline, remedial measures and resolution for each complaint and each reported violation of this policy. Some of the provisions of this policy are intentionally broader than the prohibitions against sexual harassment provided under state and federal laws.

LAW AND SCOPE

Sexual Harassment is illegal and violates Title VII of the Civil Rights Act of 1964, 42 US Code Section 2000e et seq., as amended, as well as Connecticut General Statutes § 46a-60(8). Other legal authority includes Regulations of Connecticut State Agencies, Sections 46a-68-31 through 74 and Public Act 03-151. While the Equal Employment Opportunity Commission (EEOC) established a standard for determining employer liability for sexual harassment under federal law, the standard in this policy exceeds that of the EEOC.

For purposes of this policy, the workplace includes the actual physical site, any other place that is work-connected, assignments outside the workplace, or work-sponsored social functions, where inappropriate behavior or conduct affects an individual's ability to perform her/his job.

Any covered individual who engages in conduct prohibited by this policy will be subject to discipline up to and including termination of employment. Any other person who violates this policy will be counseled, and any person who was subjected to a party's harassment will be apprised of her/his rights.

DEFINITION OF SEXUAL HARASSMENT

Sexual Harassment is defined by state and federal laws as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to, or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual's employment, evaluation, wages, advancement, assigned duties, shifts or career development; or

- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Prohibited conduct includes, without limitation:

- Repeated offensive, sexual flirtation, advances or propositions,
- Sexual assault;
- Exposing one's genitals, buttocks and/or breasts;
- Discussing sexual activities;
- Making sexually suggestive comments about an individual's body, physical appearance; or attire;
- Displaying sexually suggestive pictures, cartoons or drawings, or electronically downloading or transmitting sexually explicit material in e-mail messages;
- Inappropriate use of the internet or screen savers
- Inappropriate use of cell phones with cameras
- Using gestures of a sexual nature, whistling or catcalling;
- Using crude and offensive language, or sexually explicit jokes;
- Unnecessary touching or physical interference with a person's movements;
- Derogatory comments about another's person's gender or sexual orientation;
- Retaliation against an employee for reporting sexual harassment; and
- While in a supervisory or command position, condoning or ignoring sexual harassment of which one has knowledge or has reason to have knowledge.

The conduct listed above is not inclusive of all prohibited conduct. When interacting with others in the workplace, it is important to be sensitive to the way in which words and actions may be perceived by others. If they could reasonably be perceived as offensive and unwelcome, they could be unlawful harassment. Normal, courteous, respectful, pleasant and non-coercive interaction between individuals, which is acceptable to all, is not considered to be sexual harassment.

Sexual harassment is not limited to prohibited behavior by a male employee toward a

female, or by a supervisory employee toward a non-supervisory employee. The victim does not have to be the opposite sex from the harasser. The gender of the complainant and/or the alleged harasser is irrelevant, even if they are of the same gender.

The victim does not have to be the person at whom the unwelcome sexual conduct is directed; the victim may be someone who is a witness to and personally offended by such conduct although directed toward another. Sexual harassment is unwelcome conduct that is personally offensive, lowers morale, and interferes with work productivity. This unwelcome sexual behavior is defined from the perspective of the victim, not the harasser.

SEXUAL HARASSMENT COMPLAINT PROCEDURE

If the complainant prefers, s/he may report the matter directly to her/his supervisor. If the complainant feels uncomfortable reporting the harassment to her/his supervisor, s/he should immediately report the matter to any other member of management, including the Director.

Anyone who believes s/he has experienced sexual harassment, or has witnessed sexual harassment by any employee, prospective employee, vendor, or any other person in connection with his/her employment or participation with CAES, should bring the matter to the immediate attention of the CAES's Affirmative Action Officer, Dr. Jason C. White at 123 Huntington Street, New Haven, Connecticut 06511 (203) 974-8523.

- CAES will not tolerate violations of this policy and strongly encourages victims of sexual harassment to report such harassment as soon as it occurs.
- CAES will not tolerate sexual harassment by or of non-employees, will take all reasonable measures to prevent such harassment from occurring, and will correct any such harassment that occurs.

Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. Each manager is responsible for maintaining a work environment free of sexual harassment and to ensure mutual dignity and respect.

Further, all managers and supervisory staff share responsibility for the implementation of this policy. A supervisor or manager who receives a complaint about harassment, witnesses harassment, becomes aware of or believes that someone is engaging in prohibited conduct shall report it to CAES's Affirmative Action Officer. Any supervisor or manager found to be in violation of any part of this policy, shall be subject to disciplinary action, up to and including termination.

INVESTIGATION OF SEXUAL HARASSMENT COMPLAINTS

The Affirmative Action Officer will thoroughly investigate all reported complaints of sexual harassment for the purpose of determining whether the incident took

place, whether it constituted sexual harassment, and to determine what remedial actions, if any, are needed. The investigation of a reported incident will be initiated within five (5) business days of the receipt of a complaint.

- All investigations will be conducted in as confidential a manner as possible.
- The complaint will be reduced to writing and signed by the complainant. (If for any reason, however, the complainant is unwilling to submit a written complaint, the party to whom s/he complained shall make a written complaint based on the information reported and shall continue the investigation.)
- Both the complainant and the alleged harasser will be interviewed as part of the investigation and both will be informed of the non-retaliation provisions of this policy. Under most circumstances, the alleged harasser will be interviewed after all other parts of the investigation are completed.
- The complainant will be asked for corroborating evidence, and corroborating witnesses identified will also be interviewed. The absence of corroborating evidence shall not, however, automatically lead to the conclusion that the alleged harasser did not violate this policy.
- The investigation will be conducted in a manner to protect the confidentiality of the parties and the witnesses. Information gathered in the course of the investigation will be kept as confidential as possible in accordance with applicable law.
- The Affirmative Action Officer will report to the Director. The Director will make the final decision on what appropriate action should be taken to stop the offending conduct, to prohibit further offending conduct, and to restore good workplace relations. Such actions may include counseling, reprimands, sensitivity training or sexual harassment awareness training, requiring an apology from the harasser, written warnings, transfer, demotion, and even termination.
- The preceding action shall be taken only against the alleged harasser, anyone who assisted in harassment and/or retaliation against the complainant. Notwithstanding the foregoing, CAES may, as a result of an investigation, conduct any remedial training of any and all staff to ensure an environment free from sexual harassment. CAES shall not transfer the complainant in those instances where CAES has determined that this policy has been violated, unless the complainant requests such transfer.
- The complainant will be informed of what action CAES has taken on her/his complaint.
- The timeframe for filing, processing and resolving the complaint will be in accordance with affirmative action regulations.

- Even if a complainant seeks to withdraw a complaint, CAES shall complete its investigation.

RETALIATION FOR REPORTING SEXUAL HARASSMENT IS PROHIBITED

Retaliation against individuals who report sexual harassment, who object to sexual harassment, or assist in a sexual harassment investigation, is prohibited by law and by CAES. There will be no adverse consequences in the terms and conditions of employment and receipt of services of such an individual. Anyone who believes s/he may have been retaliated against may amend her/his complaint, or file a separate complaint, which will be investigated pursuant to this policy.

FEDERAL AND STATE REMEDIES

In addition to the above, anyone who believes s/he has been subjected to sexual harassment may file a formal employment discrimination complaint with:

United States Equal Employment Opportunity Commission (EEOC)
One Congress Street, 10th Floor
Boston, MA 02114
(617) 565-3200

Anyone who believes s/he has been subjected to sexual harassment may file a formal complaint of employment discrimination and/or public accommodation discrimination with the following offices or other CHRO offices in the state:

Connecticut Commission on Human Rights and Opportunities (CHRO)		
21 Grand Street, 4th Floor		1229 Albany Avenue
Hartford, CT 06106	or	Hartford, CT 06112
(860) 566-7710		(860) 566-7710

The filing of a formal complaint will not terminate CAES's investigation of an internal complaint related to the same allegations.

CONCLUSION

Although this policy sets forth CAES's goal of promoting a workplace free of sexual harassment, this policy is neither designed nor intended to limit CAES's authority to discipline or otherwise take remedial action for workplace conduct which CAES deems unacceptable, regardless of whether that conduct satisfies the legal definition of sexual harassment.

Since CAES is statutorily charged with enforcing the state's anti-discrimination laws, employees are expected to hold themselves to the highest possible standard in adhering to

this policy and conducting themselves in a manner that reflects mutual dignity and respect.

CAES reminds all employees that engaging in any of the conduct prohibited by this policy may constitute a violation of this policy without regard to whether it violates state or federal laws. CAES may take disciplinary action up to and including dismissal for engaging in any such prohibited conduct.

AMENDMENT/TERMINATION

Although CAES expects to continue this policy/procedure indefinitely, it reserves the right to interpret, amend, or terminate it at any time.

This complaint procedure is specific to sexual harassment complaints, and may be initiated in lieu of CAES's internal Human Rights Complaint Procedure. CAES's Affirmative Action Grievance Process may be found in its entirety under Section 46a-68-46 of CAES's Affirmative Action Plan.

Theodore G. Andreadis, Ph.D.
Director
Connecticut Agricultural Experiment Station

SEXUAL HARASSMENT PREVENTION**POLICY AND PROCEDURE****RECEIPT AND ACKNOWLEDGEMENT FORM**

I acknowledge that I have received the Sexual Harassment Prevention Policy. I understand that it is my responsibility to be familiar with and conform to the procedures contained in this policy. I am expected to abide by the rules and requirements contained in the policy with regard to the reporting of harassment, including the obligation to report violations of the policy and not to retaliate against anyone for exercising her/his rights under this policy.

Printed Name

Signature

Date

Please check one:

Employee

Volunteer

Party

Other _____

Pursuant to Connecticut General Statutes § 46a-60(a)(8), CAES affirms its commitment to ensuring a work environment free from any form of discrimination, including sexual harassment.