

STOP

DISCRIMINATION, HARASSMENT AND BULLYING BEHAVIOR



**ASHLAND INDEPENDENT SCHOOL
DISTRICT (AISD)**

POLICY 03.162 AND 03.262

HARASSMENT/DISCRIMINATION

INTRODUCTION



- The potential for harassment, including sexual harassment exists in every workplace.
- The number of workplace harassment claims filed during recent years has increased dramatically.
- While some individuals may feel that ‘harassment’ means only “sexual harassment”, it has become clear that in today’s work environment the term is much broader than that.
- Harassment is a costly proposition for employers. It can result in: low morale, absenteeism, reduced productivity, and employee turnover.

WHAT IS DISCRIMINATION?



- Discrimination can be direct or indirect.
- Direct discrimination is unlawful behavior based on race, color, national origin, age, religion, sex, genetic information, or disability involving intimidation by threats or creation of a climate of hostility or intimidation.
- Indirect discrimination is unlawful behavior using a policy, procedure, or practice that appears to treat everyone fairly but has a disproportionate impact on an individual or group.

WHAT IS HARASSMENT?



- Illegal harassment is severe or pervasive verbal or physical conduct that denigrates, shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, or reprisal for participating in the EEO process.
- The EEOC defines sexual harassment as unwelcome verbal or physical conduct of a sexual nature:
 - When submission to such conduct is made a term of condition of employment;
 - When submission to or rejection of such conduct is used as a basis for employment decisions;
 - When such conduct unreasonably interferes with job performance or creates an intimidating, hostile, or offense work environment.

AISD POLICY: DISCRIMINATION and HARASSMENT



- It is the policy of AISD to promote a productive work environment that is free from discrimination and harassment of any kind.
- To that end, AISD will not tolerate verbal or physical conduct that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment.
- It is the policy of AISD that certain rules & regulations regarding employee behavior are necessary for the efficient business operations, for benefit and safety of all employees.
- Conduct that interferes with operations or discredits AISD or is offensive to stakeholders or staff will not be tolerated.

RECOGNIZING HARASSMENT



- The conduct must be unwelcome to the target of the harassment. “Unwelcome” means that the employee did not solicit or incite the conduct and regarded it as undesirable.
- The harasser can be the victim’s supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- Harassment can be verbal, physical, or pictorial.
- The harasser as well as the target can be a man or women.
- Claimant does not have to be the person at whom the offense conduct is directed but can be anyone affected by conduct.

Harassment Prevention

Employee Responsibilities



- Employees are expected to maintain a productive environment that is free from harassing or disruptive activity.
- No form of harassment will be tolerated including harassment for the following reasons: race, color, national origin, religion, sex, sexual orientation, disability or age.
- Any employee who believes that he/she is victim of unwelcome harassment has the responsibility to report or file a complaint about the situation as soon as possible.
- The report or complaint should be made to the employee's supervisor; or Senior Management if the complaint involves the supervisor or manager.

WHAT SHOULD A VICTIM DO?



- A victim of harassment should clearly communicate to the harasser - verbally, in writing, through a third party, or in some other way - that the conduct is unwelcome.
- Evidence that the victim participated in the conduct that she or he later challenged, would generally defeat an harassment claim, since participation communicates welcomeness.
 - However, participation does not necessarily mean the conduct is welcome.
 - In particular acquiescence or submission to sexual demands does not necessarily mean that the conduct was welcome.
- The victim or person affected by the conduct should promptly report it or file a complaint - if the conduct continues after the perpetrator becomes aware it is unwelcome.

HARASSMENT PREVENTION

Supervisors' Responsibilities



- Monitor workplace behavior, enforce respect.
- Treat all complaints seriously and confidentially. Do not ignore any allegation.
- Post/disseminate EEO Policy.
- Respond to allegations immediately; investigate, as appropriate.
 - Be sensitive but impartial.
 - Interview parties and relevant witnesses.
 - Ask opened-questions.
 - Collect relevant documentation/evidence.
- Take appropriate corrective action, follow-up
- Ensure no retaliation.
- Document your actions.

Harassment Investigation



- All complaints will be investigated promptly - in as impartial and confidential a manner as possible.
- Employees are required to cooperate in any investigation.
- A timely resolution of each complaint should be reached and communicated to the parties involved.
- Any Employee, supervisor, or manager who is found to have violated the harassment policy will be subjected to appropriate disciplinary action, up to and including termination.

WHAT IS BULLYING?



- Bullying is a form of harassment that involves repeated behavior where power is used to coerce, threaten, oppress, harass, intimidate, or persecute others.

WHAT CAN YOU DO?



- Say no if you feel uncomfortable.
- You have a duty to report discrimination/harassing behavior.

Do you have any questions?