

SEXUAL DISCRIMINATION AND HARASSMENT

CESA #9 is committed to stopping sexual harassment that may occur and to maintaining a working environment for employees free from any form of sexual harassment or intimidation. Sexual harassment includes the following:

- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- unwelcome physical contact of a sexual nature;
- unwelcome verbal or physical conduct of a sexual nature, including deliberate, repeated making of unsolicited gestures or comments of a sexual nature, display of offensive sexually graphic materials, and deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to create a hostile work environment; and
- conduct directed at another individual because of the individual's gender that has the purpose or effect of creating an intimidating, hostile or offensive work environment or has the purpose or effect of substantially interfering with that individual's work performance.

Any employee who believes he/she has been subjected to sexual harassment shall report the incident in accordance with established procedures. All sexual harassment reports shall be promptly reviewed and officials shall consider the affected individual's circumstances and not notions of acceptable behavior based on stereotype or on the history of behavior in the workplace. Such circumstances may include factors such as the affected individual's age, gender, background, employment status and the general context in which the alleged harassment took place.

Complaint Procedure

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers.

If you experience any job-related harassment based on your sex, your race, or another factor, or believe you have been treated in an unlawful, discriminatory manner, promptly report the incident to your supervisor, who will investigate the matter and take appropriate action. If you believe it would be inappropriate to discuss the matter with your supervisor, report it directly to another supervisor or Agency official, who will undertake an investigation. Your complaint will be kept confidential to the maximum extent possible.

CESA #9 expects full cooperation of all employees in maintaining a work environment free of harassment and the full cooperation of all employees in the investigation of any complaints. Failure to cooperate in such an investigation will subject the employee to disciplinary action, up to and including discharge.

If the Agency determines that an employee is guilty of harassing another employee, appropriate disciplinary action will be taken against the offending employee, up to and including discharge.

CESA #9 prohibits any form of retaliation against any employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation. However, if after investigating any complaint of harassment or unlawful discrimination, the Agency determines that the complaint is not bona fide or that an employee has provided false information regarding the complaint, disciplinary action, up to and including discharge, may be taken against the individual who filed the complaint or who gave the false information.

Individuals reporting incidents of sexual harassment will be protected from retaliation. Any individual who retaliates by harassing the complainant will be considered to have violated the policy. Corrective disciplinary action will be applied in these situations.

This policy will be distributed to employees of the Agency on an annual basis and reviewed at inservice meetings.

LEGAL REF.: Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
Sections 111.32(13) Wisconsin Statutes
111.36
29 C.F.R. Part 1604.11

Tentative Approval: April 2, 1997

FINAL APPROVAL: May 7, 1997

Revised and Approved: October 7, 1998