

# Essex County College College Regulation

## REG 4-3 SEXUAL HARASSMENT

### **Purpose:**

To prohibit any and all forms of sexual harassment.

### **Application:**

#### Prohibited Acts

1. No member of the College community shall engage in sexual harassment. For the purpose of this Regulation sexual harassment is defined as but not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where an individual's submission to such conduct:
  - (a) Is an explicit term or condition of an individual's employment or status in a course, program, or activity;
  - (b) Is used as a basis for an employment or educational decision affecting an individual; or
  - (c) Unreasonably interferes with an individual's work or educational performance, or creates an intimidating, hostile, or offensive environment for work or learning.

#### Examples of Sexual Harassment

2. Examples of sexual harassment include, but are not limited to:
  - (a) Unwelcome sexual flirtations, advances, or propositions;
  - (b) Direct or implied threats that submissions to sexual advances is a condition of employment, work status, promotion, wages, assigned duties, shifts, grades, or letters of recommendation;
  - (c) Physical or verbal abuse of a sexual nature;
  - (d) A pattern of conduct (inappropriate, offensive or non-related subject matter of a course, if one is involved) intended to cause discomfort or humiliation including, but not limited to, the following: (i) comments of a sexual nature, (ii) sexually explicit statements, questions, jokes, or anecdotes.
  - (e) A pattern of conduct which would cause discomfort and/or humiliate a reasonable person including, but not limited to, the following: (i) unnecessary touching, patting, hugging, or brushing against a person's body; (ii) remarks of a sexual nature about a person's clothing or body; or (iii) remarks about sexual activity or speculations about previous sexual experience;
  - (f) The display in the work place of sexually suggestive objects or pictures, including, but not limited to, nude photographs.

**Complaint Protocol**

1. All formal complaints of harassment will be investigated promptly, impartially and in a confidential manner by the Office of the General Counsel, Departments of Human Resources and/or Student Affairs. In all cases, the employee or student shall be advised of the findings.
2. Any employee, supervisor, administrator, or faculty member who is found, after appropriate investigation, to have engaged in the harassment of another employee or student will be subject to disciplinary action up to and including termination/expulsion.

<b>Responsible Official(s):</b>	<b>Reference:</b> <i>Title VII of the Civil Rights Act of 1964 42 U.S.C. § 2000e et seq.;</i> <b>Title IX of the Education Amendments of 1972 20, U.S.C. § 1681 et seq. and the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.</b>
<b>Regulation History:</b> App. 12/92, Rev. 10/01, 12/10, 3/17	<b>Attachment(s):</b>