

 <p>The Center for Family and Child Enrichment  <i>"Cherishing Our Children Since 1977"</i>  Operational Policies and Procedures</p>	<b>Policy #: 1.02</b>
	<b>Section: HR 1</b>
	<b>Subject: Sexual Harassment &amp; Discrimination</b>

## SEXUAL HARASSMENT AND DISCRIMINATION

**Purpose:**

To define and establish procedures and guidelines, which prohibit the unlawful practice of sexual harassment in the workplace, as, mandated under Title VII of the Civil Rights Act of 1964.

**Policy:**

It is policy of the Center for Family and Child Enrichment, Inc. to provide a working environment free from sexual harassment and discrimination. To this end, the Center will investigate all reported complaints fairly and impartially to determine whether the allegations are founded. Employees who have been exposed to or have experienced sexual harassment or discrimination will be encouraged to file a complaint in accordance with Section HB, Grievance of the Agency's personnel policies.

**Procedure:**

Either male or female employees may be violators or victims of sexual harassment. Employees who violate Center policy prohibiting sexual harassment are subject to disciplinary action, up to and including termination.

**A. Definitions:**

**1. Sexual Harassment:**

Unsolicited, offensive behavior involving sexual overtures or conduct, either verbal, or physical. It does not refer to the occasional comments of a socially acceptable nature, but refers, to behavior that is unwelcome, personally offensive, lowers morale, and/or disrupts the working environment.

EEOC guidelines define sexual harassment in the work place as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the following occurs:

Submission to such conduct is made whether explicitly or implicitly, a condition of employment.



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Submission to, or rejection of, such conduct by an individual is used as a basis for employment decisions affecting the individual.

Such conduct has the purpose or effect of unreasonable interference with an individual's work performance or the creation of an intimidating, hostile or offensive working environment.

Such conduct offends a person other than the persons to whom the sexual conduct is directed.

## 2. Sexual Discrimination:

Any difference, distinction, or preference in treatment, access (e.g., opportunity to be assigned to special projects), or impact (e.g. effect on organizational decisions), because of one's sex.

### B. Implementation:

Center for Family and Child Enrichment, Inc., employees shall not engage in the following conduct:

1. Threatening or implying, either implicitly or explicitly, that an employee's refusal to submit to sexual favors or advances may adversely affect the employee's employment, performance evaluations, wages, promotion, or any other condition of employment or career development.

2. Threatening or implying either implicitly or explicitly, that a job applicant's refusal to submit to sexual favors or advances may adversely affect employability.

3. Creating a sexually harassing environment by such actions as offensive sexual flirtations, advances, propositions, verbal abuse of a sexual nature, displays of sexually graphic material, graphic verbal commentaries about an individual's body, sexually degrading words, remarks concerning the sexual preferences, or such other sexually offensive conduct that has the purpose or effect of interfering with an individual's work performance or



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creating an intimidating, hostile, or offensive working environment.

4. Taking retaliatory action of any kind against any employee as a result of that person's seeking redress for, or complaining of, sexual harassment or discrimination.
5. Exhibiting any other behavior that falls within the definitions of Sexual harassment and discrimination as described in Section III. A., Definitions.

C. Supervisory Responsibility:

Each supervisor, manager, or director is responsible for maintaining his or her work place free from sexual harassment and discrimination, which includes the following:

1. Reviewing the Center's Sexual Harassment and Discrimination policy with employees.
2. Assuring employees they need not endure insulting, degrading, or exploitative treatment of any nature.
3. Informing employees of their right to file a complaint of offensive conduct.
4. Assuring employees that such investigations will be handled in accordance with applicable confidentiality provisions.
5. Immediately notifying the CEO of sexual harassment and discrimination. Should the complaint be against the CEO, the board chairman or any board officer shall be notified.

D. Complaint Procedure:

Employees may file a complaint directly with one or more of the



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following, as the employee deems appropriate:

1. Any C.F.C.E. supervisor in the victim's chain of command: complaints will be forwarded to the CEO by the supervisor within 24 hours of receipt. In the event the complaint is against the CEO, the complaint should be filed with the board chairman or any other board officer.
2. The CEO or designee, to address the nature, validity, and seriousness of the situation, will conduct an investigation. Within 72 hours after receiving the initial complaint, a briefing will be held to update the concerned supervisor, manager, or director and the on the status of the investigation.
3. A determination will be made concerning whether personnel action is desirable during the course of the investigation.

E. Corrective Actions:

The concerned supervisor, manager, director, with approval of the CEO, may take any of the following actions to ensure the investigation can proceed without conflict between the involved parties;

1. Issue written orders to the involved parties to avoid contact pending the investigation;
2. Have all parties remain in their current assignment pending the investigation, if appropriate;
3. Transfer one or more of the involved parties to a different assignment to improve the working environment pending the investigation. The complainant will not be reassigned unless exigent circumstances exist and the CEO has



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granted approval. If the complainant submits an unsolicited request for transfer, it will be considered.

4. Place the accused party on temporary administrative leave until the investigation has progressed to a point where the CEO can determine the best course of action to take regarding assignment of the involved parties.

Corrective actions taken shall be in accordance with EEOC guidelines, C.F.C.E. policy and current case law.