

3.3.1 Harassment Based on Race, Gender, Age, National Origin, Color, Religion, or Disability

KCTCS intends to provide a work environment that is pleasant, professional, and free from illegal discrimination. Persons, including students, shall not be forced to tolerate a hostile work environment. A hostile environment is created when persons are forced to suffer harassment based upon their race, gender, age, national origin, color, religion, or disability.

3.3.1.1 What is Harassment?

Workplace harassment may create a hostile work environment if the harassment interferes with an employee's job performance. Harassment can take many forms, including, but not limited to, innuendo, suggestive comments, threats, insults, jokes, horseplay, rumors, pictures, signs, writings, e-mail, and gestures, based upon another person's gender, race, age, national origin, color, religion, or disability.

3.3.1.2 Responsibility

All employees, and particularly immediate supervisors, have a responsibility for keeping our work environment free of harassment. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate supervisor or the designated management representative with whom they feel comfortable. When management becomes aware of the existence of harassment, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the KCTCS to do so.

3.3.1.3 Reporting Harassment

While KCTCS encourages you to communicate directly with the alleged harasser, and make it clear that the harasser's behavior is unacceptable, offensive or inappropriate, it is not required that you do so. It is essential, however, to notify your supervisor immediately even if you are not sure the offending behavior is considered harassment. Any incidents of harassment must be immediately reported through the normal supervisory channels, or by contacting the Personnel office, or through the complaint resolution procedure. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed. Any employee found to have harassed a fellow employee or subordinate will be subject to severe disciplinary action up to and including termination. KCTCS will also take any additional action necessary to appropriately remedy the situation. Retaliation of any sort will not be permitted. No adverse employment action will be taken against any employee making a good faith report of alleged harassment. KCTCS accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences. KCTCS may or may not provide legal, financial or any other assistance to an individual accused of harassment if a legal complaint is filed.

3.3.1.4 Consensual Relationships Policy

The definition of "consensual relationship" includes a mutually agreed upon romantic relationships and/or a relationship involving physical intimacy.

KCTCS acknowledges its responsibility to provide clear direction to its College communities about the professional risks associated with consensual relationships in which a definite power differential between the parties exists. Inasmuch as KCTCS is committed to fostering the development of learning and work environments characterized by professional and ethical conduct and free of discriminatory behavior, consensual relationships between instructor and student or supervisor and employee are discouraged. KCTCS recognizes that it cannot regulate such personal decisions, but views them as sources of concern for two reasons:

- 1 Abuse of Power: Individuals entering into consensual relationships involving a power differential must recognize that (i) the reasons for entering such a relationship may be a function of the power differential; (ii) where power differentials exist, even in seemingly consensual relationships, consent shall not be considered a defense if a complaint of sexual harassment or retaliation is brought; and (iii) the individual in the relationship with greater power will bear the burden of accountability.
- 2 Conflict of Interest: Conflicts of interest may arise in the connection with consensual relationships between instructors or other KCTCS staff and students, or between supervisors and subordinates. Our nepotism policy prohibits individuals from making or influencing decisions affecting those with whom they have intimate, familial relationships. The same principles apply to consensual relationships.

6-22-98

Approval Date

Date(s) of Last Review

Date(s) of Last Revision
*(Include all dates in
chronological order)*

(SIGNED)

6-22-98

(SIGNED)

Recommended by

Date

President, KCTCS
