

## SCP HARASSMENT POLICY

### PROHIBITION OF HARASSMENT POLICY

It is the policy of SCP that all employment and training relationships shall be conducted in an environment that is not hostile or offensive. Harassment based on an individual's age, race, creed, color, national origin, sex, disability, or any other basis prohibited by applicable local, state, or federal law will not be tolerated at or by SCP. Any employee who engages in harassment prohibited by this policy will be subject to discipline up to and including termination.

Prohibited harassment includes, but is not limited to, the following:

1. **Verbal harassment (oral or written)**, such as making a joke or comment that refers to a certain ethnic group, race, sex, nationality, age, disability, sexual preference, religion or belief, epithets, derogatory comments, vulgar or profane words and expressions, or slurs
2. **Physical harassment**, such as unwelcome touching, assault, blocking, impairing, or otherwise physically interfering with an individual's normal work or movement
3. **Visual harassment**, such as derogatory gestures, posters, cartoons, or drawings
4. **Sexual harassment**, such as unwelcome sexual advances or requests for sexual favors; verbal, visual or physical conduct of a sexual nature, such as name calling, obscene jokes, sexually suggestive comments or insulting sounds; graphic or verbal communications of a sexual nature about a person's anatomy; or displaying in the workplace sexually suggestive objects, posters, drawings, or pictures.

**Note: The above descriptions of harassment are not intended as legal definitions. Whether conduct is unlawful harassment will depend on the law and the facts of each case.**

### REPORTING INCIDENTS OF HARASSMENT

#### Regular Employees

Any employee who believes that he or she has been subject to harassment by a supervisor, fellow employee, client, vendor, or any other person in connection with his or her employment by SCP should immediately report the situation to his or her manager. If the complaint involves the employee's manager or if the employee for any reason would prefer not to discuss the matter with his or her manager, the employee should report the matter to the business office.

#### Temporary Employees

Any temporary employee who believes that he or she has been subject to harassment by a supervisor, fellow employee, client, vendor, or any other person in connection with his or her employment by SCP should immediately report the situation to his or her placement counselor. If the complaint involves the employee's placement counselor or if the employee for any reason would prefer not to discuss the matter with his or her placement counselor, the temporary employee should report the matter to the business office. Always contact SCP first, not the client. We are your employer and are better able to handle these situations.

### RESPONSE TO COMPLAINTS

All complaints of harassment, whether written or oral, will be investigated promptly; appropriate corrective action will be taken where necessary. Any investigation of such complaints will be treated as confidentially as possible. No employee will be punished or suffer any adverse employment action as a result of bringing any harassment complaint to the attention of SCP or for assisting in an investigation.

The scope of the investigation will naturally depend on the nature of the allegations, but we assure you it will be prompt and thorough. Once SCP has reviewed all the pertinent information, SCP will make a decision regarding the complaint and inform both the employee and the alleged harasser of SCP's conclusions. If SCP determines that an employee is guilty of unlawfully harassing another individual, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

Employees should be aware that if they do not exercise their rights under this policy, such failure may provide SCP with an affirmative defense in any later proceedings. We encourage all employees to file a complaint in accordance with this policy if they believe they have been unlawfully harassed.

Please contact the business office if you have any questions about this policy.

I have read and understand the above policy.

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(Employee/applicant's signature)

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Date

# HARASSMENT FACT SHEET

## 1. Sexual Harassment is Unwelcome and Illegal Sexual Conduct

- Sexual harassment is behavior of a sexual nature that is unwanted by and unwelcome to its target.
  - Victims may experience emotional or physical harm or become unable to perform their jobs.
  - Workplaces may suffer from poor working relationships, morale, and productivity.
- Sexual harassment is illegal discrimination under the Civil Rights Act, Title VII.
  - Employers, government agencies, and the courts are receiving more complaints of sexual harassment.
  - Large and small employers have been ordered to pay large financial awards to employees who were sexually harassed on the job.
- Workers' compensation insurance may cover emotional distress resulting from sexual harassment as a workplace injury.

## 2. Sexual Harassment Can Take Many Forms

- It may be one highly offensive incident or a series of smaller incidents.
- It may be a request for sexual favors, unwanted touching, or repeated sexual comments.
- Harassers or victims may be of either sex, the same sex, or the opposite sex.
- Harassment may be physical, ranging from unwanted touching to kissing to rape.
- Harassment may be verbal, ranging from sexual threats to sexual teasing to sexual jokes or comments to personal sexual questions.
- Harassment may be nonverbal, ranging from lewd gestures to leering to circulating sexual printed materials.
- Harassment is generally defined by how the behavior is received.
  - Unwanted, unwelcome behavior of a sexual nature is harassment.

## 3. Quid Pro Quo Sexual Harassment Ties Sex to Employment Decisions

- Quid pro quo ("something for something") is often an abuse of power.
  - A job-related reward such as a raise or promotion may be promised in exchange for sexual favors.
  - A job-related penalty such as being fired may be threatened for failing to provide sexual favors.
- The U.S. Supreme Court says a quid pro quo sexual situation is harassment even if the harasser doesn't follow through on the promise or threat.

## 4. Sexual Harassment May Create a Hostile Work Environment

- A hostile work environment unreasonable interferes with someone's work performance.
  - Sexual teasing, constant sexual discussion or jokes, or other behavior by one or more people may create this type of sexual harassment.
- A hostile, intimidating, or offensive work environment is generally defined by how the individual perceives it.

## 5. Sexual Harassment is Defined by the Behavior's Result, Not Intent

- The victim defines what's undesirable or offensive.
- Harassment victims should always clearly tell harassers that the behavior is unacceptable.
  - If that doesn't stop the harassment, the victim should report it according to company procedures.
- Employers can be liable for sexual harassment claims unless they develop, communicate, and enforce policies that:
  - Define and ban sexual harassment.
  - Spell out how to report and investigate sexual harassment.
  - Follow through on investigations and take appropriate action to correct situations and penalize harassers.
- It is illegal for employers to retaliate against employees who make sexual harassment claims or cooperate with such charges or lawsuits.

**Applicable Regulations:** Civil Rights Act Title VII, Civil Rights Act of 1991