

**AIKEN TECHNICAL COLLEGE  
PROCEDURE**

Procedure Title: ANTI-HARASSMENT	Procedure Number: 3-3-113.1
Institutional Authority: President	
Associated SBTCE Policy/Procedure: 8-5-101.1; 8-6-100	
Governing ATC Policy: 3-3-113	

Approved:

  
President

  
Vice President of Administrative Services

Date

Adopted: 07/01/2004

Date

Revised: 02/11/2008

**DISCLAIMER**

**PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY.**

I. Purpose and Commitment

Aiken Technical College is committed to maintaining a work environment that is free of harassment as defined below. In keeping with this commitment, the College will not tolerate harassment of its employees by others, including any supervisor, co-worker, vendor, client, or students.

II. Definition

A. Requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, or offensive working environment.

### III. Regulations

- A. It shall be a violation of Aiken Technical College policy for anyone who is authorized to recommend or take personnel actions:
  1. To make sexual advances or request sexual favors when submission to or rejection of such conduct is the basis either explicitly or implicitly for imposing or granting terms and conditions of employment that either favorable or adversely affect the staff member's employment status.
  2. To grant, recommend, or refuse to take any personnel action because of sexual favors, or as a reprisal against a staff member who has rejected or reported sexual advances; and,
  3. To disregard and/or fail to investigate allegations of sexual harassment whether reported by the staff member who is the subject of the alleged conduct, or witness, and to fail to take immediate corrective action in the event such conduct has occurred.
- B. It shall be a violation of this policy/procedure for any employee to abuse another through conduct or communication of a sexual nature as defined in Section II, of this procedure.
- C. All employees are responsible for helping to eliminate harassment. If any employee believes that they have experienced or witnessed harassment, they should immediately notify their supervisor, the Human Resources Director, or any other official. Any employee who feels that they have been the victim of sexual harassment as defined by this procedure shall have the right to seek mediation as described in Section IV of this procedure or to file a formal grievance in accordance with State Board for Technical and Comprehensive Education policy 8-6-100.

### IV. Mediation

Because of the sensitive and private nature of most sexual harassment incidents and the emotional and moral complexities surrounding such issues, every effort should be made to resolve such problems on an informal basis if possible. The President shall appoint an individual responsible for mediating sexual harassment claims should an aggrieved employee desire a third party mediator to help resolve the complaint. It is recommended that the EEO Officer be appointed as mediator of sexual harassment charges.

Mediation shall be for a period of up to thirty (30) calendar days from the alleged action. Following the period of thirty (30) calendar days, should mediation efforts fail, the employee may initiate the formal grievance procedure. The employee must file a formal grievance within forty-five (45) calendar days of the alleged action. Therefore, when mediation fails after thirty (30) calendar days, the employee has only fifteen (15) calendar days to file a grievance.

Should the employee alleging sexual harassment not wish to seek informal mediation of their complaint, then such employee may file a formal grievance without attempting mediation.

#### V. Confidentiality

To encourage the reporting of harassment and for the protection of the accused, investigations will remain confidential, to the maximum extent possible. Any questions about this policy should be directed to a representative of the Human Resources Office.

Procedure Review		
Review Date	Reviewed By	Date Completed
07/01/2007		
02/11/2011		