

Mohawk Valley Community College

2015 Employee Sexual Harassment Prevention Policy

Policy Name:	2015 Employee Sexual Harassment Prevention Policy
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Responsible Office:	Human Resources

Purpose Statement

Mohawk Valley Community College (the “College” or “MVCC”) is fully committed to maintaining a workplace free from discrimination and harassment and to complying with all federal and state civil rights laws banning discrimination and harassment in institutions of higher education. These include but are not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Rehabilitation Act, the New York State Human Rights Law, and New York State Education Law Article 129-B. As a public institution, the College also complies with the mandates of the federal and state constitution. MVCC assures not only compliance with these laws but also to supporting a community that lives out the values these equal opportunity laws envision. This policy also complies with New York State law that mandates that employers maintain a policy prohibiting workplace sexual harassment.

Policy

Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression, and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the College recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York Human Rights Law, it is unlawful to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual’s race, ability or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment, the methods for reporting and investigating discrimination based on other protected categories are generally the same.

It is the policy of MVCC that no employee will be subject to or will engage in sexual harassment. Harassment in the workplace is a form of misconduct. All employees, managers and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the College’s commitment to a discrimination-free work and learning environment. Any employee who is found to have violated this policy will be subjected to disciplinary action, up to and including termination of employment.

Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the College to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.

The College will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The College will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the College will prompt corrective action. In addition to any required discipline, the College will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

All employees are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to Human Resources.

This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the College's shared network.

Goals of this Policy

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the College. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws as explained below in the section on Legal Protections and External Remedies.

Application of this Policy

This policy sets forth behavioral expectations for all College employees, including faculty and staff. This Policy also applies to additional covered individuals who are not College employees, but are employees of contractors, subcontractors, vendors, consultants, and other persons who provide services in the College's workplace, such as interns (paid or unpaid) and temporary employees. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers, as well as persons providing equipment repair, cleaning services, or any other services through a contract with the College. Within this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the College. A perpetrator of harassment can be a superior, subordinate, student, faculty member, staff member, administrator, independent contractor, contract worker, vendor, client, customer or visitor. This policy applies to conduct that occurs on the College's campus or property and to all College programs and sponsored

activities, regardless of where the conduct takes place and regardless of whether it occurs during work hours. Additionally, off-campus conduct may violate this policy if the conduct creates a threatening or uncomfortable environment on the College's campus or within a College program, or if the incident causes concern for the safety or security of MVCC College's campus.

MVCC employees should be aware that they may not engage in any conduct toward a student that would violate the College's prohibition against discrimination and harassment against MVCC students and/or in the academic setting. In accordance with Title IX, allegations of sexual harassment and other forms of sexual misconduct that involve a student as a complainant or respondent will be processed pursuant to MVCC's Title IX Grievance Policy. Additionally, the Title IX Grievance Policy applies in any other case where the College determines that Title IX requires its application. In all other cases, allegations of sexual harassment involving employees will be processed under this Policy.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination and is unlawful under federal and state law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. All employees should treat each other with respect, no matter our differences.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's sex or is of a sexual nature when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment. Sexual harassment can occur between any individuals, regardless of their sex or gender;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

A sexually harassing **hostile work environment** includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of the individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made

by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the individual's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “**quid pro quo**” harassment.

Examples of Sexual Harassment

The following is a non-exhaustive list that describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it.

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery or non-consensual sexual contact, molestation or attempts to commit these assaults (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual advances or propositions, such subtle or obvious pressure for unwelcome sexual activities or repeated requests for dates or romantic gestures, including gift-giving;
- Unwelcome sexually suggestive, demeaning, or graphic comments;
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment;
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should look or act;
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extend to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of the individual's sex, sexual orientation, gender identity, or transgender status, such as:
 - Sabotaging an individual's work;
 - Interfering with, destroying or damaging a person's workstation, tools or equipment; otherwise interfering with an individual's ability to perform the job;

- Bullying, yelling, or name-calling;
- Intentional misuse of an individual's preferred pronouns; or
- Creating different expectations for individuals based on their perceived identities: dress codes that place more emphasis on women's attire or leaving parents/caregivers out of meetings.

A determination as to whether sexual harassment occurred depends on the totality of the circumstances, including the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and the learning community.

An employee or covered individual should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

New York law provides that workplace harassment is unlawful to the extent that it subjects a person to inferior terms, conditions or privileges of employment that rise above the level of petty slights or trivial inconveniences. Harassment does not need to be severe or pervasive to be illegal. Any harassing conduct, even a single incident, can be discrimination that is covered by this policy. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee is treated worse because of their gender, sexual orientation, or gender expression, or membership in any other protected category is considered a violation of the College's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. The fact that a person was personally offended by a statement or incident does not alone constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances as described above. In all instances, a key factor is whether the complained-of behavior occurred based on sex or gender, sexual orientation, gender identity or gender expression or was sexual in nature. The College reserves the right to take action to correct, including to discipline, behaviors that violate the College's professional conduct expectations even if the conduct does not violate the law. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be disciplined for such misconduct.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individual, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;

- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at College-sponsored events. Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Preventing sexual harassment is everyone's responsibility. MVCC cannot prevent or remedy such conduct unless it knows about it. All employees and covered individuals working in the workplace who believe that they are being subjected to conduct in violation of this Policy, or individuals who have witnessed or otherwise become aware of behavior prohibited by this Policy should promptly report that behavior to a supervisor, the Human Resources Director, the Title IX Coordinator, or a member of the College's administration. If an employee makes a report to their supervisor or manager and believes the supervisor or manager is not taking appropriate action, the employee should report this inaction to any member of the College's administration.

Reports may be made verbally or in writing. A [reporting form](https://cm.maxient.com/reportingform.php?MohawkValleyCC&layout_id=27) available at https://cm.maxient.com/reportingform.php?MohawkValleyCC&layout_id=27 is provided online that employees may use, if they wish, to submit a report of workplace harassment. Employees and covered individuals are encouraged to use this report form, but using the form is not required. Employees who report sexual harassment on behalf of another person should state clearly that the complaint is being made on another person's behalf. Prompt reporting allows the College to address the conduct and, if necessary, take corrective action. The availability of this reporting procedure does not preclude individuals who believe they are being subjected to harassing conduct or other conduct that violates this policy from promptly advising the offender that their behavior is unwelcomed and requesting that it be discontinued.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers are required to report all complaints that they receive or any harassment that they observe or become aware of immediately to the Human Resources Director, even when the complaining employee asks to keep the complaint confidential, or indicates that they do not wish to file a formal complaint. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act. A College supervisor or manager who receives a complaint or information about suspected workplace harassment is required to take appropriate action. Appropriate action may include immediately intervening if harassment is witnessed by the supervisor or manager, and in all

instances includes reporting the situation to the Title IX Coordinator or Human Resources. In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment or otherwise knowingly allowing harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation. While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

The College's Investigation and Response

All reports or complaints about suspected sexual harassment will be investigated, regardless of whether that information was reported verbally or in writing. MVCC will conduct a prompt and thorough investigation of all allegations that ensures a fair and equitable process for all parties. The College will keep the investigation confidential to the extent possible. However, no individual can be promised or guaranteed strict or absolute confidentiality. The College recognizes that participating in a harassment investigation can be uncomfortable. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating. The investigation will be fair and impartial.

While the process may vary from case to case, in conducting a fair and impartial investigation, the College will: (i) conduct a prompt review of the allegations and assess the scope of the investigation; (ii) if documents, emails, text messages or phone records are relevant to the investigation, take steps to obtain and preserve them; (iii) request and review relevant documents; (iv) seek to interview all parties involved, including any relevant witnesses and provide parties and witnesses an appropriate opportunity to present relevant information, including documents and other evidence relevant to the allegations; (v) create written documentation of the investigation, including relevant evidence reviewed and individuals who were interviewed; (vi) keep the written documentation and relevant documents in a secure and conditional location and (vii) promptly notify the individual(s) who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions. MVCC reserves the right to adapt and modify its investigatory procedure(s), in its discretion, based on the nature of the report and the alleged conduct at issue. A less complex set of allegations generally requires a less expansive investigation, and a more complex set of allegations generally requires a more expansive investigation. The College will consider and implement appropriate document request, review and preservation measures as required by law.

In order to ensure that no discriminatory or harassing conduct occurs during the investigation, the College may implement interim measures (e.g., instructing the individuals involved to refrain from communications with one another, addressing any immediate workplace environment issues) as appropriate. The College may determine that it is appropriate to remove a respondent from the workplace while an investigation is ongoing and any such decision will be in accordance with any other applicable policy and/or collective bargaining agreement. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

At the conclusion of the investigation, a determination will be made as to whether a violation of this Policy occurred and, if such a violation did occur, the appropriate disciplinary and/or other remedial action to be taken. Effective corrective action will be taken whenever sexual harassment is found to have occurred. The complaining party and accused individual will be given notice, in a timely fashion, of the outcome of the investigation. Information about MVCC's responsive action(s) may or may not be provided, depending on the circumstances.

If the College concludes that a nonemployee has subjected an individual to conduct in violation of this policy, prompt and effective action will be taken to stop the behavior and deter any future prohibited conduct.

Retaliation

Retaliation is prohibited. Any employee that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation for reporting such conduct. Any employee of the College who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination.

MVCC will not retaliate and forbids retaliation against any employee who opposes a discriminatory practice, makes a good faith complaint of sexual harassment, files a complaint or charge with a governmental agency alleging harassment, or furnishes information or participates in any manner in an investigation of such a complaint. Retaliation can take many forms, whether or not occurring in the workplace or employment-related, including, but not limited to, adverse action or violence, threats and intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from making a formal complaint or supporting a sexual harassment or discrimination claim.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has: 1) made a complaint of sexual harassment or discrimination, either internally or with any government agency; 2) testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law; 3) opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment; 4) reported that another employee has been sexually harassed or discriminated against; or 5) encouraged a fellow employee to report harassment.

A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith. If a person makes a statement knowing that it is false, the person has acted without good faith. Any employee who engages in retaliation will be subjected to disciplinary action, up to and including termination of their employment. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform their manager, Human Resources or any other member of management. Any individual who believes they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help:

- A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- A bystander can take notes on the harassment incident to benefit a future investigation;
- A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not okay; and
- If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Coordination with Other Policies & Procedures

A particular situation may potentially implicate one or more College policies or processes. MVCC reserves the right to determine the most applicable policy or process and to utilize that policy or process. Without limiting the foregoing, if determined appropriate by the Human Resources Director and Title IX Coordinator, the processes described in this policy may be used to respond to, investigate and adjudicate conduct allegedly violating other policies if the alleged conduct is related to or arises out of the same facts, circumstances or incidents as alleged prohibited conduct to be addressed pursuant to this policy.

Conclusion

MVCC has developed this policy and procedure to ensure that all of its employees work in an environment free from sexual harassment. Any questions regarding this policy and procedure should be brought to the attention of MVCC's Human Resources Director.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the College; it is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process described herein, individuals may also choose to pursue legal remedies with the following governmental entities. Complaining internally to the College does not extend your time to file with an enforcement agency or in court. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights

The New York State Division of Human Rights (DHR) enforces the Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., which applies to employers in New York State and protects employees, paid or unpaid interns and non-employees providing services in the workplace pursuant to a contract, regardless of immigration status. A complaint alleging a violation of the HRL may be filed either with DHR, or in New York State Supreme Court. Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the

alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court. The DHR will investigate the complaint to determine whether there is probable cause to believe that unlawful harassment occurred. Probable cause cases receive a public hearing before an administrative law judge. If unlawful harassment is found at the hearing, the DHR or the court may award relief, which may include requiring your employer to take action to stop the harassment, and redress the damage caused by paying monetary damages, attorney's fees and civil fines. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call 718.741.8400 or visit www.dhr.ny.gov. More information about filing a complaint is available at <https://dhr.ny.gov/complaint>. The website provides a complaint form and contact information for DHR's regional offices across New York State. Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone. The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An employee can file a charge with the EEOC within 300 days from the conduct giving rise to the complaint. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the College. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit. The EEOC can be contacted at 1.800.669.4000 (1.800.669.6820 (TTY)), via email at info@eeoc.gov, or by visiting their website at www.eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced or non-consensual sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department

The policy outlined above is aimed at providing employees at the College an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the College also prohibits discrimination or harassment on the basis of race (including traits historically associated with race), color, national origin, ethnicity, ancestry, citizenship, religion (including religious dress and grooming practices), creed, age, physical or mental disability (including pregnancy, childbirth, pregnancy-related conditions and lactation or the need to express breast milk), medical condition (including cancer and genetic characteristics), military status, veteran status, marital status, familial status, arrest/conviction record, domestic violence victim status, genetic information, predisposing genetic characteristics or carrier status, reproductive health decision making, political affiliation, known relationship or association with any member of a protected class, or any other basis protected by federal, state or local laws.

Revision History

Date	Revision Description	Revision Made by:
11/21/2011	Created	
08/19/2019	Revision to apply with applicable law	Stephanie Reynolds
06/22/2026	Comprehensive revision to align with New York State Model Sexual Harassment Prevention Policy and applicable law	Christa Cook, Labor Member BSK; Crystal Marceau, Executive Director of HR; Suada Ikeljic, Director of Compliance