

**CLOVER PARK TECHNICAL COLLEGE  
POLICY**

CHAPTER	SECTION	TITLE	HISTORY		
2	30	<b>HARASSMENT, INTIMIDATION, BULLYING, AND RETALIATION</b>	Adopted 2024	Campus Forum	Reviewed
			Revised		Next review

**Policy Commitment Statement:**

CPTC is committed to creating a workplace climate of understanding and mutual respect. Each person contributes to the development and well-being of students, staff, and faculty free of any form of harassment, intimidation, bullying or retaliation by other employees, students, vendors, volunteers, visitors, interns, work study students, or any other person, who for any reason, are on the premises of Clover Park Technical College campuses. All members of the CPTC community have the right to a safe environment. Through a combination of emphases, accountability, training, and systematic response, CPTC intends to deter bullying acts, harassment, intimidation, and retaliatory behavior and to provide a timely response when those incidents occur.

**HIBR Policy Purpose:**

To provide a transparent policy and procedure that recognizes the dignity and worth of every person associated with Clover Park Technical College. Specifically addressing a safe, civil, and equitable work and learning environment characterized by mutual respect and free of harassment, intimidation, bullying, or retaliation. This policy and procedure will include reporting and investigation of allegations of harassment, intimidation, bullying, and retaliation. In addition, this policy will include a process of reconciliation to restore a positive, healthy and professional work environment for all involved. The policy primarily addresses incidents related to staff and faculty. Concerns that involve students are addressed through the CPTC Student Code of Conduct, although cases involving staff, faculty and students will be jointly investigated through this policy/procedure and the guidelines spelled out in the Code of Conduct.

**Brief Explanation:**

CPTC has a responsibility for addressing unwanted reported behaviors and incidents through an investigation, resolution, and implementation of corrective and restorative measures that will lead to the elimination of unwanted behaviors. This includes but is not limited to employees, students, guests/visitors, contractors, vendors, etc. This policy recognizes that unwanted behaviors may not always be related to protected

classes and that power differentials do exist in the workplace. This process provides informal and formal resolution to address the range of unwanted workplace behaviors.

CPTC has a responsibility to address prohibited forms of discrimination on the basis of protected classes such as: race, color, national origin, age, perceived or actual physical or mental disability, pregnancy, genetic information, sex, sexual orientation, gender identity, marital status, creed, religion, honorably discharged veteran or military status, or use of a trained guide dog or service animal, as required by Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and ADA Amendment Act, the Age Discrimination Act of 1975, the Violence Against Women Reauthorization Act, and Washington state's law against discrimination, chapter 49.60 RCW and their implementing regulations.

The consequences of continued behavior will lead to further investigation and may be subject to disciplinary action(s) up to and including dismissal from the college and/or from employment.

#### **Definitions & Examples:**

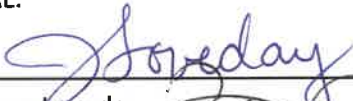
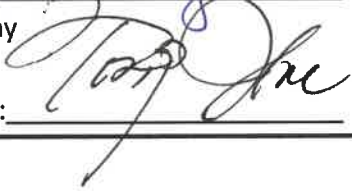
This is not an all-inclusive list but it is intended to provide examples and definitions of unwanted behavior.

- Definition and examples of harassment
  - **Harassment (Definition):** "Harassment is unwelcome conduct that is based on legally protected characteristics, such as race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability and genetic information. Harassment [in the workplace] becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws." (US Equal Employment Opportunity Commission)
  - **Harassment (Examples):**
    - Repeated negative comments about a person based on a protected class status that go unaddressed.
    - Pervasive epithets or slurs directed at a person because of their protected class status that go unaddressed.
    - Repeated communications directed at a person on the basis of protected class status that go unaddressed after a complaint is made or after it is made clear the communications are unwanted.

- Definition and examples of bullying
  - **Bullying (Definition):** “Unwanted, repetitive and aggressive behavior marked by an imbalance of power. It can take on multiple forms, including physical (e.g., hitting), verbal (e.g., name calling or making threats), relational (e.g., spreading rumors) and electronic (e.g., texting, social networking).” (Rossen and Cowen, 2012)
  - **Bullying (Examples):**
    - Spreading untrue rumors about specific employees or groups of employees.
    - Making explicit or implied threats of violence or other improper recourse.
    - Using social media to ridicule, belittle, or make fun of a person in a way that impacts the campus community.
  
- Definition and examples of intimidation
  - **Intimidation (Definition):** To make timid or fearful: frighten. especially: to compel or deter by or as if by threats. (Merriam-Webster)
  - **Intimidation (Examples):**
    - Taking a physical position to impose one’s will on another, e.g. taking up space in a doorway to block a person’s exit.
    - Stating or implying that one will use their power in an unauthorized way in order to compel a desired behavior, e.g. threatening a demotion in order to achieve a personal, non-work-related goal.
    - Trying to discourage a HIB complaint by implying or stating that there will be some kind of consequences on the prospective complainant for doing so.
  
- Definition and examples of retaliation
  - **Retaliation (Definition):** “Retaliation occurs when an employer (through a manager, supervisor, administrator or directly) fires an employee or takes any other type of adverse action against and employee for engaging in protected activity. An adverse action is an action which would dissuade a reasonable employee from raising a concern about a possible violation or engaging in other related protected activity. Retaliation can have a negative impact on overall employee morale.” (U.S. Department of Labor Wage and Hour Division)
  - **Retaliation (Examples):**
    - Demoting, reducing employee hours, or reducing employee privileges because they made a complaint or participated in an investigation.
      - Note: No contact orders issued as interim measures while an investigation is pending, or temporarily reassigning an

individual to reduce contact are not actions considered as retaliation.

- Reducing a student's grade because they made a complaint or participated in an investigation.
  - Engaging in harassment, intimidation, or bullying as defined above because a person made a complaint or participated in an investigation.
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- **Protected class:** "A protected class is a social group that has been subjected to documented past and continuing effects of illegal discrimination and consequently, whose civil rights require legal re-enforcement. In the U.S., protected classes include members of certain racial and ethnic groups, women, persons over 40, qualifying veterans, and persons with disabilities. Protected class status is sometimes misconstrued as conferring "special" rights that are unavailable to other groups, when, in fact, it is meant to ensure the equal protection of rights that are guaranteed to all citizens. (See Discrimination)" (Olympic College)

APPROVAL:	
By: <u></u>	Date: <u>5/1/24</u>
Dr. Joyce Loveday	
Board Chair Review: <u></u>	Date: <u>5/8/24</u>