



4000 - Employees 40 - Anti-Harassment Policy

1. Introduction

- 1.1. It is the policy of PHCS to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, national origin/citizenship or any other characteristic protected by law.
- 1.2. PHCS prohibits any such discrimination or harassment.
- 1.3. It is our mission to provide a professional work and learning environment free of harassment that maintains equality, dignity, and respect for all.
- 1.4. It shall be a violation of this policy for any student, teacher, administrator or other employee of PHCS to harass a student, teacher, administrator, or other employee through conduct or communication.
- 1.5. This policy applies to all applicants and employees, whether related to conduct engaged by fellow employees or someone not directly connected to PHCS (e.g., an outside vendor, consultant, or customer).
- 1.6. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

2. What is Harassment?

Harassment can take many forms. As used in this employee handbook, harassment includes but is not limited to:

- 2.1. Offensive remarks, comments, jokes or slurs pertaining to an individual's race, religion, sex, age, national origin or ancestry, disability, citizenship, veteran status or any other protected status defined by law.
- 2.2. Offensive sexual remarks, sexual advances, flirtations, or requests for sexual favors regardless of the gender of the individuals involved.
- 2.3. Offensive physical conduct, including touching, regardless of the gender of the individuals involved, including threats of harm, violence or assault.
- 2.4. Offensive pictures, drawings or photographs or other communications, including email.
- 2.5. Threatening reprisals of an employee's refusal to respond to requests for sexual favors or for reporting a violation to this policy.
- 2.6. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, regardless of gender, when:
 - 2.6.1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
 - 2.6.2. Submission to, or rejection of, such conduct by an individual is used as a basis of employment decisions affecting such an individual.
 - 2.6.3. Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment.
- 2.7. All PHCS employees have a responsibility for keeping our work environment free of harassment.

3. Reporting Process

- 3.1. PHCS encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position.
- 3.2. Individuals who believe that they have been the victim of such conduct should discuss their concerns with the Campus Administrator or Human Resources.
- 3.3. In addition, PHCS encourages individuals who believe they are being subjected to such



conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be stopped. Often this request alone will resolve the problem.

- 3.4. PHCS recognizes, however, that an individual may prefer to handle the matter through informal or formal complaint procedures. Every effort will be made to keep reports confidential as possible, although it is understood that an investigation will normally require the involvement of third parties.
- 3.5. PHCS is serious about enforcing its policy against harassment. However, PHCS cannot resolve a harassment problem that they are not made aware of or know about. Therefore, employees are responsible for bringing any such problems to PHCS' attention so it can take the necessary steps in order to correct the problems.

4. Investigation/Complaint Procedure

- 4.1. All complaints of harassment will be promptly investigated. If the investigation substantiates the accusations, the appropriate corrective action will be taken.
- 4.2. This may include, but not be limited to, reprimand, suspension or dismissal, depending on the nature and severity of the offense.
- 4.3. **Informal Procedure:**
 - 4.3.1. If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should notify his/her Campus Administrator or Human Resources who may, if the individual so requests, talk to the alleged offender on the individual's behalf.
 - 4.3.2. In addition, there may be instances in which an individual seeks only to discuss matters with one of the PHCS designated representatives, and such discussion is encouraged.
 - 4.3.3. An individual reporting harassment, discrimination or retaliation should be aware; however, that PHCS may decide it is necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual.
 - 4.3.4. The best course of action in any case will depend on many factors and, therefore, the informal procedure will remain flexible.
 - 4.3.5. Moreover, the informal procedure is not a required first step for the reporting individual.
- 4.4. **Formal Procedure:**
 - 4.4.1. As noted above, individuals who believe they have been victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with the Campus Administrator or Human Resources.
 - 4.4.2. PHCS encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained.
 - 4.4.3. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.
- 4.5. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly.
 - 4.5.1. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
 - 4.5.2. Confidentiality will be maintained throughout the investigative process to the extent consistent with adequate investigation and appropriate corrective action.
 - 4.5.3. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.



- 4.5.4. Responsive action may include, for example, training, referral to counseling and/or disciplinary action as PHCS believes appropriate under the circumstances, such as
 - 4.5.4.1. warning,
 - 4.5.4.2. reprimand,
 - 4.5.4.3. withholding of a promotion or pay increase,
 - 4.5.4.4. reassignment,
 - 4.5.4.5. temporary suspension without pay, or
 - 4.5.4.6. termination.
- 4.5.5. If a party to a complaint does not agree with its resolution, that party may appeal to the Board of Trustees.

5. **Retaliation**

- 5.1. Retaliation against an individual for representing harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.
- 5.2. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

6. **Conclusion**

- 6.1. This policy was developed to ensure that all employees work in an environment free from harassment, discrimination and retaliation.
- 6.2. PHCS will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.
- 6.3. Any employee who has any questions or concerns about these policies should talk with their Campus Administrator or Human Resources.
- 6.4. Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment.
- 6.5. The law and the policies of PHCS prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment.
- 6.6. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.