

SEXUAL HARASSMENT

It is the policy of the LEARN Board of Directors that there is zero tolerance for any form of sexual harassment. All sexual harassment is prohibited, whether it takes place within LEARN premises or outside, including at social events, business trips, training sessions or conferences sponsored by LEARN, and whether it is engaged in by supervisory or non-supervisory personnel, by individuals under contract or by volunteers subject to LEARN control. Retaliation against any employee who reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint is prohibited.

Sexual harassment is any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when

- (A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (C) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Preventing sexual harassment is a collective responsibility. LEARN cannot prevent or remedy sexual harassment unless it knows about it. It is the responsibility of any employee who has witnessed or has been subjected to sexual harassment to report the incident(s). Supervisors and managers who observe, are informed of, or reasonably suspect the occurrence of sexual harassment shall immediately report such incident(s).

Sexual harassment complaints will be investigated promptly and thoroughly, and, where it is determined that such conduct has occurred, LEARN will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action when appropriate. All reports of sexual harassment will be held in confidence to the extent permitted by applicable state and federal laws and collective bargaining agreements.

Any violation of this policy will result in disciplinary action, up to and including termination. While this policy sets forth goals of promoting a workplace that is free of sexual harassment, it is not designed or intended to limit LEARN's authority to discipline or take remedial action for

workplace conduct of a sexual nature which it deems unacceptable, regardless of whether that conduct meets the definition of sexual harassment.

The Executive Director will develop and distribute sexual harassment complaint procedures in accordance with this policy, and will ensure compliance with all legal requirements regarding posting of notices and training regarding sexual harassment.

Legal References: Civil Rights Act of 1964, Title VII, 42 U.S. §2000-e2(a)

Equal Employment Opportunity Commission Policy Guidance
(N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88

29 CFR Para. 1604.11 (EEOC)

Meritor Savings Bank, FSB v. Vinson 477 US.57 (1986)

Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998)

Gebbs v. Lago Vista Indiana School District, 524 U.S. 274 (1998)

Connecticut General Statutes

46a-54 Commission Powers, as amended by P.A. 19-16

46a-60 Discriminatory employment practices prohibited, as amended by
P.A. 19-16.

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