



NEWBOROUGH
SINCE 1968

Newborough Teacher Training Institute Sexual Harassment Policy

Newborough Teacher Training Institute is committed to maintaining a workplace and learning environment free from sexual harassment. Sexual harassment is a form of workplace/learning environment discrimination. All employees and adults learners are required to work and learn in a manner that prevents sexual harassment in the workplace/classroom. This Policy is one component of Newborough Teacher Training Institute's commitment to a discrimination-free work and learning environment. Sexual harassment is against the law and all employees and adult learners have a legal right to a workplace/learning environment free from sexual harassment, employees and adult learners are urged to report sexual harassment by filing a complaint internally with Newborough Teacher Training Institute. Employees and adult learners can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy

Newborough Teacher Training Institute's policy applies to all employees, adult learners applicants for employment, interns, whether paid or unpaid, with Newborough Teacher Training Institute. In the remainder of this document, the term of employees and adult learners refer to this collective group.

Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Newborough Teacher Training Institute will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Newborough Teacher Training Institute who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or adult learners in the workplace and classroom who believe they have been subject to such retaliation should inform a supervisor and or instructors. All employees, paid or unpaid interns or adult learner who believe they

have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Newborough Teacher Training Institute to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. 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 penalized for such misconduct.

Newborough Teacher Training Institute will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Newborough Teacher Training Institute will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, as well as adult learners are required to cooperate with any internal investigation of sexual harassment.

All employees and adult learners are encouraged to report any harassment or behaviors that violate this policy. Newborough Teacher Training Institute will provide all employees a complaint form for employees to report harassment and file complaints.

Managers, supervisors and instructors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to the owner of Newborough Teacher Training Institute.

This policy applies to all employees, paid or unpaid interns, and adults learners and all must follow and uphold this policy. This policy must be provided to all employees and adult learners and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring and adult learner upon acceptance of program.

What Is 'Sexual Harassment'?

Sexual harassment is a form of sex discrimination and is unlawful under federal and local 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 includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex 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;
- Such conduct is made either explicitly or implicitly a term or condition of employment and enrollment; or
- Submission to or rejection of such conduct is used as the basis for employment and enrollment decisions affecting an individual's employment/study.

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 that individual's sex. 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 recipient's job performance/learning 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/adult learner's learning.

Any employee or adult learners who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

Employees may be subject to discipline for retaliating against others.

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- 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, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a 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 act or look.

- 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.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Federal Law protects employees, paid or unpaid interns, and adult learners. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, peers or visitors.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace/learning environment itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees/adult learners can constitute unlawful workplace/learning environment harassment, even if they occur away from the workplace/learning environment premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker/adult learners from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal law. The Human Rights Law protects any individual who has engaged in protected activity. Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee/adult learner has been sexually harassed; or
- encouraged a fellow employee/adult learner to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility.

Newborough Teacher Training Institute cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or adult learners subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor or manager. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor or manager.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees and adult learners who are reporting sexual harassment on behalf of other employees/adult learners should use the complaint form and note that it is on another employee's or adult learner's behalf.

Employees, paid or unpaid interns or adult learners who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to administration.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee/adult learner may be required to cooperate as needed in an investigation of suspected sexual harassment. Newborough Teacher Training Institute will not tolerate retaliation against employees/adult learners who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, supervisor will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the 'Complaint Form' in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.

- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by Newborough Teacher Training Institute but is also prohibited by federal law.

Aside from the internal process at Newborough Teacher Training Institute. Employees/adult learners may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees/adult learner in certain industries may have additional legal protections.

Employee/Adult Learner Signature _____

Date Received _____