

CAL POLY CORPORATION
San Luis Obispo
**PROCEDURES FOR RESOLVING
HARASSMENT COMPLAINTS**

The Cal Poly Corporation (CPC) is committed to providing a workplace free of sexual harassment as well as harassment based on such factors as race, color, religion, national origin, age, medical condition, sex, marital status, mental or physical disability, sexual orientation, or veteran status. Sexual harassment is a violation of CPC policy and illegal. Employees who violate this policy are subject to disciplinary action including dismissal and may be personally liable to the offended party under tort law.

Sexual harassment includes, but is not limited to, any unsolicited and unwelcome sexual overtures be they written, verbal, physical, or visual whenever (1) submission to the conduct is either implicitly or explicitly a term or condition of employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions about the individual; or (3) 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.

Examples of sexual harassment include, but are not limited to: (1) oral or written requests for sexual favors and offensive sexual jokes, comments, observations or language; (2) sexually offensive touching in its many forms; (3) sexually offensive gestures, leering, and display of sexual photographs, drawings, or cartoons; (4) creating a working situation through sexual conduct which is seriously troubling or uncomfortable for another person. Such situations may be established, for example, by coercive requests for sexual favors by superiors, but also by sexually offensive jokes or innuendo by co-workers. All personnel are responsible for conducting themselves in the workplace in a manner that ensures that their actions do not sexually harass any other individual. Supervisors are additionally responsible for ensuring that their work environment is free from sexual harassment. Any employee who feels he/she has been the victim of sexual harassment should contact either the supervisor, Department Head, or Advisor for Harassment Concerns as soon as possible to seek resolution to the complaint.

If a complainant decides to file a formal complaint he/she can request the assistance of the Advisor for Harassment Concerns. The initial report can be oral or written, but a written and signed statement of the complaint must be submitted by the complaining employee within five working days of the initial report so an investigation can be conducted. The formal written complaint must cite the specific incident(s) as well as the desired resolution. If it is determined that sexual harassment occurred, appropriate disciplinary action, up to and including dismissal, will be taken. The severity of the discipline will be determined by the severity and/or frequency of the offense. Employees who falsely accuse an employee of harassment may also be subject to disciplinary action and personally liable under tort law.

In addition to the CPC's processes, employees or job applicants who believe that they have been sexually harassed may, within one year of the harassment, file a complaint of discrimination with the California Department of Fair Employment and Housing (DFEH). The DFEH serves as a neutral fact finder and attempts to help the parties voluntarily resolve disputes. The local Fair Employment and Housing Office are at 5720 Ralston Street #302, Ventura, CA 93303-6081. (805) 654-4512.

Every effort shall be made to ensure the confidentiality of the complaint for both the complainant and the accused at each step of the above procedures. No employee shall be discriminated or retaliated against or in any way penalized by the CPC for using these procedures or participating in an investigation, proceeding, or hearing conducted by the DFEH or Commission.

The CPC Advisor for Harassment Concerns is Pat Hosegood Martin, Human Resources Department. Please call her with any questions, concerns, suggestions, or complaints at x1151.