D. Harassment Policy & Procedures

1. Policy
   a. It has always been Reinhardt University’s policy to maintain the best possible employment atmosphere for all employees. This policy includes the right of the employees to be free from all forms of harassment of any kind by anyone in connection with their employment, including harassment because of a person’s race, color, religion, gender, national origin, age, disability, veteran status, genetic information, or any other characteristic protected by applicable Federal, State or local legislation.

   b. Prohibited harassment includes, but is not limited to, epithets, slurs, derogatory comments or jokes, intimidation, negative stereotyping, threats, assault or any physical interference with the employee’s normal work or movement. Harassment may also include written or graphic material placed on walls, bulletin boards or elsewhere on the University’s premises or circulated in the workplace that denigrates, shows hostility or aversion towards an individual or group because of the characteristics identified above.

   c. Whether or not the person means to give offense or believed his or her comments or conduct were welcome is not significant. Rather, the University’s policy is violated when other employees, whether recipients or mere observers are, in fact, offended by comments or conduct based on race, religion, color, sex, age, national origin, disability, genetic information or any other legally protected characteristic.

   d. Sexual harassment is prohibited by Reinhardt University and by state and federal law. Sexual harassment of any member of the University community is prohibited and will subject the offender to disciplinary action, up to and including termination.

2. Definition of Sexual Harassment
   a. Reinhardt University prohibits sexual harassment of any kind by anyone connected with employment, whether at work or elsewhere, such as at University functions. It is a violation of the personal rights, growth and integrity of the victim. It is especially damaging when it involves exploitation of the relationship between faculty members or administrators and students or between superiors and subordinates of any kind. When the authority and power inherent in such relationships is abused, there is damage not only to
individual victims but also to the educational, professional, and social climate of the University. Individuals in positions of authority should be sensitive to whether consent can be chosen as freely as it may seem, and to the conflicts of interest that are inherent in personal relationships where professional and educational relationships are also involved.

b. However, while sexual harassment most often takes place in situations where there is differential in status between the persons involved, the University also recognizes that harassment may occur between persons of the same status.

c. The determination of what constitutes sexual harassment will vary with the particular circumstances, but it may be described generally as unwanted sexual behavior which adversely affects the working or learning environment of an individual. The Equal Employment Opportunity Commission’s guidelines defining sexual harassment in the workplace are set forth as follows:

d. “Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, or of creating an intimidating, hostile or offensive working environment.”

e. Based upon those guidelines, but expanding them to include the learning as well as the working environment, the University will consider sexual harassment to include, but not necessarily be limited to, the following:

1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or status in the University or in a course, program or activity;

2) Submission or rejection of such conduct by an individual is used as a basis for employment or educational decisions affecting such individual; or

3) Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance, or of creating
an intimidating, hostile or offensive environment for work or learning.

f. Examples of prohibited sexual harassment include unwelcome sexual conduct such as:

1) Verbal harassment (e.g., sexual requests, comments, jokes, slurs);
2) Physical harassment (e.g., touching, kissing) and;
3) Visual harassment (e.g., posters, cartoons or drawings of a sexual nature.)

g. Sexual harassment is not limited to conduct motivated by sexual attraction. It may occur between members of the opposite sex or members of the same sex, regardless of their sexual orientation. It also may be in the form of non-sexual, offensive conduct that is directed at an employee because of his or her gender.

3. Reporting Procedure

a. Any employee who believes that he or she has been the victim of harassment (sexual or otherwise) or has witnessed harassment should immediately report their complaint to the head of their department (Supervisor, Director or Executive Director) or to the Vice President of their division, or to the Director of Human Resources. We also encourage individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. Because this may be difficult, such direct communication is not a requirement of filing a complaint.

b. Any complaint reported must be turned over to the Director of Human Resources as soon as possible for immediate investigation. The Director of Human Resources shall be responsible for conducting the appropriate investigation into the complaint and making a recommendation to the Vice President of the division regarding the outcome. The Director of Human Resources is responsible for maintaining the confidentiality of the situation to the extent that is reasonably possible while keeping the parties that have a need to know informed.

c. Any supervisor who sees or hears about conduct that may constitute harassment under this policy must immediately contact Human Resources.
d. The University will not retaliate, nor will it tolerate retaliation, against employees who complain in good faith about harassment in the workplace.

4. Investigating and Resolving the Complaint

a. All complaints of harassment will be taken seriously and be investigated in a timely manner. Employees and supervisors have a duty to cooperate in the University’s investigation of alleged harassment. Upon completing its investigation, the University will communicate its findings and intended actions to the complainant and to the individual accused of harassment.

b. The University will take whatever corrective action is deemed necessary. In the event that the investigation determines that an employee of Reinhardt University has behaved in an inappropriate manner, the employee will be subject to disciplinary action, up to and including termination. Failing to cooperate or providing false information during an investigation will also subject the individual to disciplinary action, including termination.

c. Although the University has limited authority to discipline a non-employee harasser (such as a student, alumni, contractor, vendor or supplier), it will take remedial action aimed at ensuring that the conduct stops.

E. Confidentiality/Fiduciary Responsibilities

Protecting the confidentiality of an individual's or the University's financial and personal information is one of the primary aspects of fiduciary responsibilities. The University will maintain the confidentiality of such information in accordance with its legal obligations.

Every employee of Reinhardt University has an obligation to exercise care and prudence in the handling of information regarding employees and students. In order to ensure that this information is handled in a safe and prudent manner, the University has developed certain policies and procedures governing its protection. Violating any of these policies is considered by the University to be a breach of our fiduciary responsibilities.

Compromising the confidentiality of employee information will be considered an extremely serious matter and may result in severe disciplinary action, up to and including termination.

F. Substance Abuse