

# **PERSONNEL POLICY AND PROCEDURE GUIDELINE**

## **Hastings College of the Law**

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### POLICY

#### 104.1 PROVISIONS

UC Hastings is committed to providing a work environment free of unlawful harassment. UC Hastings policy prohibits sexual harassment and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation or any other basis protected by federal state or local law or ordinance or regulation. All such harassment is unlawful. UC Hastings non-harassment policy applies to all persons involved in the operation of UC Hastings and prohibits unlawful harassment by any employee of UC Hastings, including supervisors and managers, as well as vendors, customers, and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of the above noted characteristics, or is associated with a person who has or is perceived as having any of the above noted characteristics.

Specifically, it is against College policy for any employee or other person to subject another employee or another person to harassment. Acts of harassment include, but are not limited to:

- A. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- B. Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- C. Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons drawings or gestures;
- D. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors; and
- E. Retaliation for reporting or threatening to report harassment.

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Harassment is further defined as conduct which is made either explicitly or implicitly as a term or condition of employment; used as the basis for employment decisions; offered in order to receive special treatment or in exchange for or in consideration of any personnel action; and/or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

If you believe that you have been unlawfully harassed, submit a written or verbal complaint to your own or any other UC Hastings supervisor, or the Executive Director of Human Resources of UC Hastings as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. Supervisors will refer all harassment complaints to the Executive Director of Human Resources. UC Hastings will immediately undertake an effective, thorough and objective investigation of the harassment allegations.

If UC Hastings determines that unlawful harassment has occurred effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by UC Hastings to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. A UC Hastings representative will advise all parties concerned of the results of the Investigation. UC Hastings will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

UC Hastings encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.