

Fresno Teachers Association

Employee/Member Complaint Procedure For Charges of Sexual Harassment

The Fresno Teachers Association (FTA) has a firm policy against sexual harassment. FTA prohibits sexual harassment in its work environment, at FTA sponsored events and FTA related events.

In addition to other avenues of recourse an individual may choose, anyone who believes he/she has been sexually harassed or unlawfully discriminated against should report the incident(s) immediately. Charges of sexual harassment should be lodged with the Executive Board or one of the Associate Executive Directors, according to the following procedure:

- 1) Written or oral complaints, once reduced to writing, should be directed to an Executive Board member or to one of the Associate Executive Directors, or to the Association President. The complaint should include all relevant details of the incident(s), name(s) of the individual(s) involved and the name(s) of any witness(es). This complaint will serve as the basis for an investigation.
- 2) Executive Board members will, within 48 hours, refer all complaints to the Association President or to the Associate Executive Directors, who will initiate an investigation of the allegation(s). It is FTA's intent that investigations proceed as quickly as possible. All parties to an investigation are expected to cooperate fully to assist in expediting the process. All information gathered during the above referenced investigation shall be confidential and dealt with accordingly.
- 3) If it is determined that sexual harassment occurred, the FTA Executive Board will initiate appropriate remedial action. Any FTA employee or member found to be responsible for sexual harassment will be subject to appropriate disciplinary action, up to and including termination of employment with FTA or appointment to respective FTA positions. Any employee or member found to have filed false claims of sexual harassment will be subject to appropriate disciplinary action as well.
- 4) Upon completion of the investigation, the complainant and the person(s) accused will be informed of the findings and, if warranted, the corrective course of action regarding the employee(s) or association member(s) responsible for the sexual harassment.
- 5) FTA will not retaliate against any employee or association member for filing a complaint. Any actual or perceived retaliation should be reported immediately.

Questions regarding FTA's policy on sexual harassment, or the procedure for filing complaints, should be directed to the Association President or Associate Executive Directors.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, request for sexual favors, and other verbal, visual or physical conduct of a sexual nature when:

- 1) Submission to the conduct is explicitly or implicitly made a term or condition of employment.
- 2) Submission to or rejection of the conduct by an individual if used as the basis for advancement or evaluation.
- 3) The conduct has the purpose or effect of having a negative impact on the individual's work performance, or of creating an intimidating, hostile or offensive work environment.
- 4) Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits or employment by the Association.

Types of conduct which are prohibited by the Association and which may constitute sexual harassment include, but are not limited to:

- 1) Unwelcome sexual flirtations or propositions.
- 2) Sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
- 3) Graphic verbal comments about an individual's body, or overly personal conversation.
- 4) Sexual jokes, stories, drawings, pictures or gestures.
- 5) Spreading of sexual rumors.
- 6) Touching an individual's body or clothes in a sexual way.
- 7) Purposefully cornering or blocking normal movements.
- 8) Displaying sexually suggestive objects

The Association President or his/her designee shall ensure that all FTA employees and governance members receive instruction and information on sexual harassment, which

will be passed onto the general membership via Faculty Representatives and posted on the Association website. Such instruction and information shall include:

- 1) What acts and behavior constitute sexual harassment; including the fact that sexual harassment could occur between people of the same gender.
- 2) A clear message that employees/association members do not have to endure sexual harassment.
- 3) Information about the person(s) to whom a report of sexual harassment should be made.
- 4) Appropriate forms for reporting any occurrence of sexual harassment are available at the FTA office.

I have read and discussed the above Fresno Teachers Association Sexual Harassment Complaint Policy and Procedure. I fully understand that such actions are prohibited by employees and association members, and will be investigated and dealt with accordingly.

Signature

Date