

Office of Personnel Management

Policy Directive

Policy Title: Sexual Harassment	Policy Number: 70.10
Citation: Section 703 of Title VII of the Civil Rights Act of 1964	Forms: None

Specific Purpose

All state agencies and institutions of higher education shall develop and implement a policy concerning sexual harassment and the resolution of such complaints. A copy of the agency or institution of higher education policy shall be filed with the Office of Personnel Management (OPM).

Sexual harassment is a form of discrimination and is unwelcome behavior that is either verbal or physical in nature. What constitutes sexual harassment is:

1. Submission to the conduct is either an explicit or implicit term or condition of employment, and/or
2. Submission to or rejection of the conduct is used as a basis for employment decisions affecting the person who did the submitting or rejecting, and/or
3. The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Actions that may be defined as sexual harassment are not limited to the "supervisor and employee" situation, but may include actions of coworkers, actions of the same or opposite sex and action of individuals external to the agency, but who have contact with employees in the work environment.

An agency or institution of higher education policy should include a provision that the grievance officer shall insure that no person who files a grievance involving sexual harassment shall be required to solely or independently confront any person allegedly conducting or causing any action believed to be sexual harassment.

January 13, 2011