

RICH TOWNSHIP
HIGH SCHOOL DISTRICT NO. 227

Workplace Behavior Guidance

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APPROPRIATE WORKPLACE BEHAVIOR

I. APPROPRIATE BEHAVIOR

A. The workplace is increasingly the place where people spend the majority of their waking hours. People can have more interactions with certain co-workers than they do with their families and friends. This level of contact can build a level of familiarity that can enhance teamwork, but if abused, can lead to disruptions in the workplace.

B. Appropriate Workplace Behavior Involves Several Aspects, Including:

(1) Job Performance: Performing one's assigned duties in an efficient and effective manner in accordance with the employer's policies, directives and procedures.

(2) Interaction with Co-Workers: Working together in a mutually respectful and professional manner to achieve the District's objectives.

(3) This is what we're aiming for. However, people are the variable that cannot be predicted.

C. Inappropriate Behavior Is Obvious In Certain Situations:

(1) Violence of any kind, including fighting

(2) Theft

(3) Sleeping

(4) Insubordination

(5) Drug or alcohol use

D. Inappropriate Behavior Can Be Less Clear To Employees:

(1) Telling jokes.

A. Cultural

B. Sexual

- C. Don't try to immunize people in advance.
- (2) Touching Co-workers
 - A. Hugging
 - B. Shoulder touching/rubbing
 - C. "I hug everyone, it's just the way I am."
 - (3) Sending inappropriate emails
 - A. Forwarding jokes
 - B. Forwarding pictures
 - (4) Intent, while it may be instructive, is not determinative.
 - A. You proceed at your own peril, because for the most part, you take people as you find them.
 - B. You may not know who is going to find your behavior inappropriate.
 - 1. Subtle, and not so subtle, differences exist based up age, gender, cultural background, life experiences, etc.

E. What Should We Do?

- (1) Treat co-workers with respect and common decency.
- (2) Stay focused on the task at hand.
- (3) Expect that people will have different backgrounds and experiences than you have.
- (4) Err on the side of not touching co-workers.
- (5) Explain to co-workers when conduct is inappropriate.
- (6) Report inappropriate conduct to a supervisor.
- (7) If the inappropriate behavior is sufficiently severe, or the person believes it violates the law, use Board policy 2:260 and contact one of the complaint managers.

(8) Expect that if you engage in inappropriate behavior, it will be addressed.

II. WHAT IS SEXUAL HARASSMENT?

Sexual harassment is unwanted, deliberate or repeated sexual behavior. Sexually suggestive objects, magazines, calendars, drawings, signs or pictures may constitute sexual harassment, in addition to sexual behavior.

Sexual harassment can also be a form of unlawful sex discrimination if there is a subtle or direct threat that a sexual or social relationship is part of that individual's job performance. The threat can be about any part of that person's job: Wages, promotions, job references, performance or working conditions.

How do you know whether behavior violates the District's sexual harassment policies and procedures? To decide, you should take the time to read those policies and procedures, if you are unfamiliar with them. The Board Policy is number 5:20.

As an employee subject to these provisions, it is important that you fully understand what sexual harassment is, because engaging in sexual harassment in the workplace can have serious consequences, including, but not limited to, termination of employment.

III. DISTRICT 227 POLICIES AND PROCEDURES – POLICY NO. 5:20

A. General Provisions

The School District shall provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting sexual harassment as defined and otherwise prohibited by State and federal law.

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature 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 the basis for employment decisions affecting such 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. Sexual harassment prohibited by this policy includes verbal or physical conduct.

The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort.

B. Reporting, Evaluation and Discipline of Sexual Harassment

- (1) Sexual harassment will be evaluated in light of all the circumstances. Not every stray comment or action amounts to sexual harassment.
- (2) A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.
- (3) Aggrieved persons, who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop.
- (4) Employees should report claims of sexual harassment to the Nondiscrimination Coordinator and/or in accordance with Board policy 2:260, *Uniform Grievance Procedure*.
- (5) Employees may choose to report to a person of the employee's same sex.
- (6) Initiating a complaint of sexual harassment shall not adversely affect the complainant's employment, compensation, or work assignments.
- (7) There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

IV. APPLICATION OF POLICY TO REAL-LIFE SEXUAL HARASSMENT

A. Examples of Behavior that May Constitute Sexual Harassment:

- (1) Frequent uninvited or unwelcome sex-oriented verbal "kidding," or sexual innuendoes, looks, gestures, jokes, teasing or other such comments, or expressing humor or telling jokes about sex or gender-specific traits.
- (2) Sexually-suggestive comments about a person's dress or body.
- (3) Displaying objects, drawings, photographs, computer screens or other such visual items that are sexually-explicit.

- (4) Unwelcome touching, such as patting, pinching, or constant brushing against another's body.
- (5) Suggesting or demanding to another that the potential victim become sexually involved, or pressure for a date.
- (6) Discussions of sexual experiences or spreading rumors related to a person's alleged sexual activities.

B. When is Conduct "Unwelcome?"

"Unwelcome sexual conduct" means that the victim did not solicit or incite it. Rather, he or she regarded the conduct as undesirable or offensive.

- (1) Did the employee "invite" the conduct? Did he or she ask the alleged harasser to stop? Remember that consent can be revoked and you need to adjust your behavior accordingly.
 - (a) Workplace dating or "good lovin' gone bad"
- (2) Whether the offender **intended** to harass the victim or not does not matter. What is important is how the victim felt, and whether it was reasonable for him or her to feel that way.

C. Did the Work Environment Become Hostile? Major inquiry is usually whether the conduct:

- (1) Unreasonably interferes with an individual's performance, or
- (2) Creates an intimidating, hostile, or offensive working environment.

Trivial or annoying conduct such as sexual flirtation or innuendo or vulgar language would probably not establish a hostile environment unless it happened over and over again, or unless it was very offensive. Look at whether a reasonable person would be offended, intimidated, humiliated or embarrassed to go to work, or whether the average person's work performance would be affected by the conduct.

D. RULES OF THUMB in the Workplace

- (1) It is best not to "flirt" at work.
- (2) Just because you think your conduct is appropriate and not offensive does not mean it is appropriate and not offensive. A **reasonable person**

standard is applied by courts in determining whether conduct constitutes sexual harassment. That means – would a reasonable person would be offended? Ask yourself:

- a. Would I want my behavior to be the subject of a newspaper article or to appear on the evening news?
- b. Would I behave the same way if my wife, husband, parent or significant other were standing right next to me?
- c. Would I want someone else to act this way toward my wife, daughter, husband, son, parent or significant other?
- d. Is there equal initiation and participation between me and the person with whom I am interacting? In other words, are they engaging in the same behavior? Note that this does not invite a race to the lowest common denominator.
- e. If you have to ask yourself whether it's okay, it probably isn't. Ask yourself: Do I need to have this conversation? Is this relevant to my job responsibilities?

- (3) All materials viewed on the internet, and all messages sent, are considered public.
- (4) If you become involved in a romantic relationship at work, handle all personal matters outside of work.
- (5) Do not retaliate against anyone for making a complaint (and this is true even if no sexual harassment is found).

E. COMPLAINT PROCEDURES.

Report any sexual harassment immediately to the Non-Discrimination Coordinator, or as set forth under your Sexual Harassment Complaint Procedures.