

Home Page

Human Resources

Benefits

Career Opportunities

Compensation

Contact Us

Employee Awards

Equity Office

Advisory Committee

Amorous Relationships
PolicyAnti-Harassment
Complaint Procedures

Delta's Diversity

Disability Discrimination

Grievance Complaint
Procedure

Sexual Harassment

Statistics - Employee

Why should you consider a
career at Delta college?
(video)

Anti-Harassment & Complaint Procedures

Silent Witness Program

Delta College is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Delta College expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

Equal Employment Opportunity

Delta College ensures equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law. Delta College prohibits any such discrimination or harassment.

Retaliation Is Also Prohibited

Delta College encourages reporting of all incidents of discrimination or harassment. Delta College will investigate all such reports. Delta College prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Definitions of Harassment

1. Harassment on the basis of any other protected characteristic is also strictly prohibited. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his /her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

2. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purpose of this procedure, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Individuals and Conduct Covered

These procedures apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Delta College (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these procedures is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

Delta College encourages reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, the Director of Human Resources or the Equity Officer. See the Complaint Procedure described below.

In addition, Delta College encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Delta College recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

Complaint Procedure

Informal Procedure



- a. Hear the grievance together with such witnesses as it deems appropriate to the grievance. The Grievance Committee will question all parties as deemed appropriate, but shall not be subjected to questioning by the involved parties.
- b. Serve objectively, without conflict of interest, and shall not advocate for the grievant(s) or respondent(s).
- c. Serve for the duration of the hearing process unless extenuating circumstances arise as determined by the Equity Officer. Conflict of interest will be cause for the Equity Officer to excuse a committee member. The excused member will be replaced using the procedure outlined in this section.
- d. Close the hearing to all but required participants, if it determines that this would be in the best interests of a participant or the College.
- e. Assure that an accurate record of the proceedings of the committee is written.

Both the grievant and respondent have the right to:

- a. Receive from the Equity Officer written notice of the complaint, the date(s) and time(s) of the hearing, and the Equity Officer's brief summary of the facts upon which the grievance is based and the corrective action sought.
- b. Choose to have a college employee/student serve as his/her advisor during the proceedings. Advisors may not participate actively in the proceedings but may be present and may communicate with the grievant in a manner that does not disrupt the proceedings. Grievants/respondents may not have an attorney present during the proceedings.
- c. Present evidence and to question the evidence of the other party. However, neither party shall question the other, the committee members, or witnesses.
- d. Request that formal grievance proceedings be closed. The Committee will make the decision to honor or reject the request.

The Grievance Committee shall base its decisions strictly on the evidence presented, reach its findings, prepare a report, and make recommendations to the President within fifteen (15) business days of the Committee's first meeting. The Grievance Committee shall observe the following guidelines in handling the formal complaint hearing as it pertains to evidence presented:

- a. Consider complaints on a case-by-case basis.
- b. Review the Equity Office complaint file which includes the record of the complaint, fact-finding interviews, and any other documentation related to the complaint.
- c. Approach the hearing process with objectivity toward both parties, witnesses, the evidence presented, the decision-making process, rationale, and recommendations.
- d. Limit communication concerning the evidence presented to that necessary to conduct the hearing and develop and report the written recommendation to the President or his/her designee.
- e. Formulate questions in advance for the grievant, respondent, and witnesses in order to gather the facts. Follow-up questions may be asked during the hearing process as appropriate.
- f. Consider circumstantial evidence and inferences from the circumstances.
- g. Develop written recommendation(s) and rationale(s).

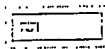
The Chairperson of the Grievance Committee will inform the President or his/her designee in writing of the Committee vote, recommendation(s) and rationale used in decision making.

The President or his/her designee will issue a written decision in response to the Grievance Committee's report within fifteen (15) working days of receipt of the formal Grievance Committee's written report. In the event that the President determines that discrimination and/or harassment has occurred, the decision will specify the action(s) to be taken along with a timetable for action.

Copies of the finding(s) and recommendation(s) and of the President's response will be made available to the grievant and the respondent.

The Equity Officer will communicate the results of the hearing and the decision of the President to those with a need to know this information. Without limiting the generality of the term, those with a need to know would include such persons as the supervisor of an employee who has been found to have discriminated against or harassed a person in a protected classification, their supervisors up to the Executive Staff level, and appropriate persons in offices such as Human Resources or the General Counsel's office; or in the case of a student who is found to have discriminated against or harassed a person in a protected classification, also included would be the persons in the Academic, Student Services and other offices who need to take appropriate action.

(PDF Version)



The Senate Disputed Final Grades Policy

c. The Student Complaint Hearing Process

Although a grievant or respondent always has the option to retain legal counsel at any time, counsel may not participate in these internal grievance procedures, whether formal or informal.

Informal-Stage

The informal stage is initiated by filing a signed, dated, written statement with the Equity Officer, one of the College's Ombudspersons, the Dean of Teaching and Learning, the Vice President of Instruction and Learning Services, the Dean of Student and Educational Services, or the Vice President of Student and Educational Services, stating the issue and a desired resolution. The statement must be filed within the timeline required by this Procedure.

Every effort will be made to resolve conflicts through discussion with the involved parties within the College. The concerned individual should obtain copies of the College policies and procedures cited above and talk with the appropriate College personnel responsible for the administration of these policies/procedures to determine which course of action they should take if the concern cannot be resolved informally.

Employee concerns should first be discussed with the person(s) directly involved unless the employee reasonably believes such a discussion would be futile. If the situation is not rectified, or if the employee reasonably believes that a discussion with the person(s) directly involved would be futile, an employee who has a discrimination concern may bring that concern to the attention of the President or his designee, the Equity Officer, an appropriate Executive Staff member, the Dean of Faculty or an appropriate Division Chair, the employee's immediate supervisor, or to an Ombuds Person. Employees are also urged to contact the Equity Officer for help to determine if a violation may have occurred and for help with the options available to resolve their concern.

Student concerns should first be discussed with the person(s) directly involved unless the student reasonably believes such a discussion would be futile. If the situation is not rectified, the student may contact his/her instructor, division chair, appropriate dean, counselor, or other appropriate administrator to assist individuals involved to informally resolve the situation. Students should contact the Grade Ombudsman through the Dean of Students and access the Disputed Grades Policy in cases involving the appraisal of their own academic progress. Students should contact the Vice President of Student Services and access the Student Complaint Hearing Process in cases involving regulations and rules of conduct. Students are also urged to contact the Equity Officer for help to determine if a violation may have occurred and for help with the options available to resolve their concern.

The Equity Officer may assist the complainant in clarifying the charge and the requested remedy, and may provide the complainant with information about the various internal mechanisms through which the complaint may be filed, including applicable time limits for filing of each internal procedure.

The Equity Officer shall seek to resolve the complaint informally and shall have the right to prompt access and copies of all relevant information (documents, communications, personnel files, etc.) and to interview witnesses, including the right to bring together complainant and respondent, as deemed appropriate. The Equity Officer will make every reasonable effort to promptly complete fact finding review and preparation of findings. The Equity Officer will be responsible for an accurate record of all the Equity Officer's findings.

Upon completion of fact-finding and review of pertinent documentation, the Equity Officer will determine whether an act of prohibited discrimination or retaliation has occurred. The Equity Officer shall prepare a recommendation based upon his/her findings and advise the President regarding appropriate steps, if any, to enforce policies, and resolve the stated concern(s).

Should the Equity Officer be unable to resolve the complaint informally, the Officer shall so notify the complainant in writing, advising him/her of their right to proceed to the next step internally which is the formal stage, and/or to file with appropriate external agencies.

Formal Stage

If the concern has not been resolved by informal process, the grievant may submit a written request to the Equity Officer outlining the specific allegations, the facts on which the formal grievance is based, relevant law or College policies or procedure, and resolution sought. The written request must be submitted to the Equity Officer within ten (10) working days of receipt of the non-resolution notice. The written request will include the names of three regular full-time employees who are willing and available to serve as a member of the formal Grievance Committee. The Equity Officer will review the grievance and notify the grievant within five (5) working days of receipt of the request whether the grievance is acceptable or not under the conditions of this process. Formal proceedings may be instituted before all informal remedies have been exhausted only at the discretion of the Equity Officer and President.

Procedures

The Grievance Committee shall consist of:

- a. An employee named in the initial request for a formal grievance hearing. The Executive Staff Member in whose division the grievance arose will choose one name from the three proposed by the grievant.
- b. An employee chosen by the President from a list of three names submitted by the Executive Staff Member.
- c. A third person, who will serve as chairperson, selected by mutual agreement of the two nominated members. The chairperson can be any full-time employee who is willing and available to serve in this capacity. If the two members cannot agree upon a chairperson, the chairperson will be appointed by the President.
- d. In the event that the Executive Staff Member in whose division the grievance arose, or the President, is alleged to have participated in or approved the alleged act of discrimination or harassment, the Equity Officer will request a different Executive Staff member to make the decisions required in (a) or (b) above.
- e. The Equity Officer shall serve (without a vote) as an advisor to the Grievance Committee.

The Grievance Committee shall: