

# Harassment Policy

Holy Cross prides itself as a community that nurtures the growth and development of all its members. In such a community each individual is entitled to respectful treatment from others in an environment free from harassment. To ensure such an environment, the College has adopted the following policy. The goal of the policy is not simply to enforce limitations on harassment encoded in civil rights legislation, but to transcend legal considerations and appeal to principles governing honorable behavior in a just and principled community.

Title VII of the 1964 Civil Rights Act defines sexual harassment as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical 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 a basis for employment affecting that individual; or
3. such conduct has the purpose or effect of unreasonable interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment”.

Title IX of the Education Amendments of 1972 requires an educational institution to provide an environment free of discrimination on any grounds. Massachusetts General Laws Chapter 151B stipulates that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of such a complaint. Retaliation for complaints of harassment is itself a violation of the College policy. As a measure of the seriousness that the College regards this entire issue, any employee who is found after an investigation to have harassed another in the workplace will be subject to appropriate discipline up to and including termination, depending on the circumstances of the situation.

Holy Cross is committed not only to enforcing the law but also to protecting the community from any form of harassment that serves to degrade the status of another human being. Most often, harassment objectifies a personal attribute, singling it out for ridicule, attack, or disparagement. Examples include, but are not limited to: race, color, religion, sex, age, national origin, ancestry, sexual orientation, physical or mental handicap, veteran or other protected status. It may include physical contact such as touching or patting, written or verbal comments or suggestions, obscene or offensive jokes or pictures, hostile or threatening gestures, or other forms of degradation. Though harassment is often malicious in intent, even thoughtless or unpremeditated behavior can have the effect of harassment. In any situation where there is an inherent balance of power between the parties, romantic and/or sexual relationships are strongly discouraged.

For purposes of this policy, sexual harassment is defined as any type of sexually oriented conduct, whether intentional or not, that is unwelcome and has the purpose or effect of creating a work environment that is hostile, offensive or coercive to a reasonable woman or man, as the case may be. The following are examples of conduct that, depending on the circumstances may constitute sexual harassment:

- a) unwelcome and unwanted sexual jokes, language, epithets, advances or propositions;
- b) written or oral abuse of a sexual nature, sexually degrading or vulgar words to describe an individual;
- c) the display of sexually suggestive objects, pictures, posters, or cartoons;
- d) unwelcome and unwanted comments about an individual's body, sexual prowess or sexual deficiencies;
- e) asking questions about sexual conduct;
- f) unwelcome touching, leering, whistling, brushing against the body, or suggestive insulting or obscene comments or gestures;
- g) demanding sexual favors in exchange for favorable reviews, assignments, promotions, or continued employment, or promises of the same.

If you believe that you have been the subject of sexual harassment or subjected to a hostile, offensive or coercive environment, or if you are not sure whether certain behavior is sexual harassment or whether it is actionable under this policy, you are strongly encouraged to immediately notify your supervisor or manager.

You may also notify the following:

Donna Wrenn, Director of Human Resources  
P.O. Box HR, O'Kane 72, Ext. 3391

William J. Conley, Director of Administrative Services/Affirmative Action Officer  
PO Box HR, O'Kane 72, Ext. 3423

You may file an Informal or Formal Complaint with the following individuals (depending on the status of the alleged harasser):

For Complaints Against Students:

Jacqueline D. Peterson, Vice President for Student Affairs  
PO Box 19A, Hogan 115, Ext. 2414

For Complaints Against Teaching Faculty:

Timothy Austin, Dean of the College  
PO Box DEAN, Fenwick 115, Ext. 2541

For Complaints Against Administrators In:

Admissions

Dr. Frank Vellaccio, Senior Vice President  
PO Box SVP, Fenwick 111 Ext. 3010

Athletics

Richard M. Regan Jr., Director of Athletics  
PO Box A Fieldhouse, Ext. 2582

Administration and Finance

Michael J. Lochhead, Vice President Administration and Finance  
PO Box VPFIN, O'Kane 158, Ext. 2327

Chaplains' Office

Katherine M. McElaney, Director of the College Chaplains  
PO Box 16A, Hogan 314, Ext. 2448

## CISS

Timothy R. Austin, Dean of the College  
PO Box DEAN, Fenwick 115, Ext. 2541

## Development

Dr. Frank Vellaccio, Senior Vice President  
PO Box SVP, Fenwick 111, Ext. 3010

## Financial Aid

Dr. Frank Vellaccio, Senior Vice President  
PO Box SVP, Fenwick 111, Ext. 3010

## Library

Timothy R. Austin, Dean of the College  
PO Box DEAN, Fenwick 115, Ext. 2541

## Public Affairs

Dr. Frank Vellaccio, Senior Vice President  
PO Box SVP, Fenwick 111, Ext. 3010

## Registrar

Timothy R. Austin, Dean of the College  
PO Box DEAN, Fenwick 115, Ext. 2541

## Student Life

Dr. Jacqueline D. Peterson, Vice President for Student Affairs  
PO Box 19A, Hogan 115, Ext. 2414

## For Complaints Against Nonexempt Personnel:

William J. Conley, Director of Administrative Services/Affirmative Action Officer  
PO Box HR, O'Kane 72, Ext. 3423

## Employees may also contact:

Massachusetts Commission Against Discrimination  
One Ashburton Place, 6th floor  
Boston, MA 02108  
(617) 727-3990

Equal Employment Opportunity Commission  
One Congress Street, 10th floor  
Boston, MA 02114-2023  
(617) 565-3200