



## Procedures for Policy # 53034.5

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### **PROCEDURE FOR COMPLAINT OF SEXUAL HARASSMENT & RETALIATION**

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*To ensure that an employee has every opportunity to seek relief and protection from sexual harassment and/or retaliation.*

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#### **STEPS**

1. Any person who feels he or she has been the victim of sexual harassment should contact the Equal Employment Opportunity (EEO) Officer; Long-Jones Hall, Room 148, Phone Number (318) 274-6118. To file a claim, a written and signed statement of the complaint must be submitted to the EEO Officer by the complaining party so an investigation can proceed into the matter. The written complaint should include the following information:
  - a. the date of complaint,
  - b. the identification of the complainant,
  - c. the date(s) of the alleged sexual harassment, and
  - d. identification of the party or parties and the actions complained of, including all relevant background facts and circumstances.
2. Upon receipt of the written complaint, the authorized University official will contact the person who allegedly engaged in the sexual harassment and inform him or her of the basis of the complaint and provide him or her the opportunity to respond.
3. Upon receipt of the response, the appropriate University official will determine whether there is probable cause to warrant further investigation.
4. If it is determined that further investigation is warranted, the case will be referred to the appropriate administrator or authorized body for prompt and corrective action.
5. If it is determined that sexual harassment has occurred, appropriate disciplinary action up to and including discharge may be taken. The severity of the discipline will be determined by the severity and/or frequency of the offense and will be administered by the Appointing Authority.

**PROCEDURES FOR COMPLAINT OF SEXUAL HARASSMENT & RETALIATION**

Any employee or student who believes that he or she has been the victim of sexual harassment or retaliation is encouraged to consult with GSU's EEO Officer or an appropriate University official (Vice President, Dean, Department Head, Director, etc.) to gain an understanding of the University's Sexual Harassment Policy and Complaint Procedures, available options and resources provided. In all cases, these university officials have the responsibility of alerting GSU's EEO Officer about the allegation. GSU will make every effort to maintain confidentiality to the extent possible with a thorough investigation. To address sexual harassment and retaliation, GSU has in place, a procedure for handling sexual harassment complaints both informally and formally. Either procedure may be used.

**Informal Procedures for Sexual Harassment Complaints & Retaliation**

1. The complainant will be asked to provide information on the Informal Sexual Harassment Complaint Form, which is attached to this policy. If the University official determines that the allegation involves conduct that may violate this policy, an informal investigation will proceed. The university official should contact the supervisor of the alleged harasser, i.e., if a student makes a complaint to the Vice President for Student Affairs about a faculty member, the Vice President should notify the faculty member's dean and/or department head relative to the complaint. In addition, the university official should conduct a preliminary investigation and fact-finding deemed necessary including, but not limited to, meeting with the complainant and the alleged harasser separately.
2. If during the preliminary investigation, the complainant changes his/her mind and decides to drop the charges, the university official should report the incident and forward all related documents to the Human Resources/EEO Office within ten business days.
3. If after the preliminary investigation is concluded and the university official believes that sexual harassment or retaliation and violation of this policy has not occurred, the official should inform the complainant of this finding. The complainant may still utilize the Formal Complaint procedures if he/she wishes. The university official should forward all documents related to the alleged incident(s) to the EEO Officer within ten business days.
4. If a resolution is reached during or after the investigation, a dated copy of the terms of the resolution and all related documents should be forwarded to the Human Resource/EEO Office with ten business days.
5. If a resolution cannot be obtained through the informal procedure, the complainant may file a formal complaint with the EEO Office. The university official involved should forward all related documents to the Human Resource/EEO Office with ten business days.



**Formal Procedures for Sexual Harassment Complaints & Retaliation**

1. To begin the Formal Complaint Procedure, the complainant shall complete a Formal Sexual Complaint Form. A copy of this form is attached. After an informal procedure has been initiated and has concluded, the complainant should submit this form to the Human Resources/EEO Office within ten (10) business days, if possible.
2. Within fifteen (15) days, if possible, of receiving the formal complaint, the EEO Officer should convene the University's Sexual Harassment Committee to establish hearing procedures concerning the complaint. The committee is composed of nine (9) university employees who are appointed by the President.
3. The committee chair/designee should contact the person who allegedly engaged in the sexual harassment or retaliation, inform him/her of the basis of the complaint and allow them the opportunity to respond in writing to the alleged harassment. The alleged harasser should, if possible, respond in writing within ten (10) business days to the complaint. The response should contain full, direct, and specific responses to each claim in the complaint.
4. If the alleged harasser at this point informs the EEO Officer or the appointed committee member that he/she is guilty as charged, the appropriate university officials will address the necessary disciplinary action and a recommendation will be forwarded to the President.
5. If the alleged harasser denies the allegations made by the complainant, the University's Sexual Harassment Committee should hear and consider testimony and other evidence for the purpose of fact-finding, and make a recommendation as to the merits of the allegation.
6. If the committee believes that a violation of the policy has occurred such that discipline is warranted, any such action should reflect such corrective and remedial action that is appropriate under the particular circumstances at issue. Appropriate corrective and remedial action should end the conduct complained of and should serve to prevent it in the future. Such remedial or corrective action can include but is not limited to the following:
  - a. Oral and/or written reprimand
  - b. Counseling
  - c. Reassignment of duties, transfer, demotion, etc.
  - d. Suspension
  - e. Termination
  - f. Any combination of the above
7. Within five (5) business days, if possible, following the conclusion of its investigation and hearing, the University's Sexual Harassment Committee should forward its findings and recommendation for action to the President. When the

recommendation concerns a classified employee, the Manager of Classified Services in the Office of Human Resources will be consulted. If a tenured faculty is recommended for termination, the Vice President for Academic Affairs will be consulted. Within twenty-one (21) business days, if possible, the President or his designee should review the Committee's recommendation and determine an appropriate course of action. The decision will be communicated to the appropriate parties. The written ruling of the President or his designee shall constitute the final decision of the university. The committee's findings and the President's decision will be forwarded to the Human Resources/EEO Office.

In all cases, the complainant and/or those witnesses involved in the investigation of conduct alleged to be in violation of this policy should be protected against retaliation by the alleged harasser or any other individual attempting retaliation based on the filing of a complaint under this policy. Retaliatory words or behavior that punish or threaten to punish a complainant for making a good faith complaint of sexual harassment under this policy are expressly prohibited by this policy.

**GRAMBLING STATE UNIVERSITY FORMAL SEXUAL  
HARASSMENT/RETALIATION COMPLAINT FORM**

Date: \_\_\_\_\_

Name, Title & Department/Unit of Person receiving complaint:

\_\_\_\_\_

Name of & Department/Unit of Person filing the complainant

\_\_\_\_\_

Student \_\_\_\_\_ Faculty \_\_\_\_\_ Staff \_\_\_\_\_

A. Name, Title, & Department/Unit of Person(s) harassed/ retaliated against you?

\_\_\_\_\_

B. How did harassment/retaliation take place? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

C. Where? \_\_\_\_\_

D. When? (Date and approx. time) \_\_\_\_\_

E. If more than once, how often? \_\_\_\_\_

F. What was your reaction/response? \_\_\_\_\_

\_\_\_\_\_

G. Witnesses? If so, who? \_\_\_\_\_

\_\_\_\_\_

H. What is your current relationship with the alleged harasser? Past, Present, etc.

\_\_\_\_\_

I. Has the alleged harasser informed you or suggested that negative consequences would occur if you reported the harassment/retaliation? If so, explain.

\_\_\_\_\_

J. Whom, if anyone, did you tell? \_\_\_\_\_

K. When? \_\_\_\_\_

L. Where? \_\_\_\_\_

M. What did you tell her/him? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

N. What was her/his response? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

O. Do you think there might be other complainants? \_\_\_\_\_

P. Do you think you did anything to encourage the harasser? If yes, explain.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Q. Do you think the harasser misinterpreted any of your actions? \_\_\_\_\_

If so, describe the actions. \_\_\_\_\_

R. What relief are you seeking? \_\_\_\_\_

\_\_\_\_\_

My signature below indicates my willingness to have this complaint investigated.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
University Official Signature

\_\_\_\_\_  
Date