

Sexual Harassment University of Hawaii Community Colleges Policy and Information

It is the policy of the University of Hawaii to provide a safe and comfortable learning and working environment for students and employees. Sexual harassment is a form of sex discrimination that can undermine the foundation of trust and mutual respect that must prevail for the University to fulfill its educational mission. Sexual harassment will not be tolerated in any part of the University's programs and activities. Sanctions will be imposed on members of the University community who violate this policy.

What Is Sexual Harassment?

There are two kinds of sexual harassment: Quid Pro Quo and Hostile Environment.

Quid Pro Quo sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal, nonverbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational benefits or services, or submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual.

Hostile Environment sexual harassment is defined as intimidating, threatening or offensive verbal or physical conduct of a sexual nature, which is unwelcome and is sufficiently severe or pervasive to interfere with an employee's work environment or a student's education.

Examples of Sexual Harassment

Examples of behaviors that could constitute Quid Pro Quo and Hostile Environment sexual harassment include but are not limited to:

- direct or indirect promises of academic or work benefits, such as high grades, promotions, or letters or recommendation, in return for sexual favors;
- adverse decisions or evaluations, failure to hire or promote, or low grades, because conduct of a sexual nature has been rejected;
- unnecessary and unwanted touching, patting, hugging or brushing against a person's clothing or body;
- spreading rumors about a person's sexuality; remarks about sexual activity or speculations about previous sexual experience;
- pervasive displays of pictures, calendars, cartoons or other materials with sexually explicit or graphic content;
- remarks of a sexual nature about a person's clothing or body;
- sexually suggestive sounds or gestures such as sucking noises, winks, or pelvic thrusts;
- intrusive sexually explicit questions.

Example Cases of Sexual Harassment

Student A Reports:

Student A is a female enrolled in a program that traditionally attracts males, and she does not want to go to class anymore. Each day a group of male students sit in the back of the classroom and tell jokes of a sexual nature, and engage in conversation about their sexual experiences. Even though Student A is not the target of their conversation, she can clearly hear what is being said because she sits close to them in back. Several times she has told them to stop and told them that others in the class do not want to hear their sexual jokes and all about their sex lives. They laugh and tell her to move to another seat if she does not want to hear.

Student B Reports:

Student B is a female enrolled in the XYZ program. One male instructor has been very friendly with her since the beginning of the semester. She feels he goes out of his way to talk to her about personal things that don't pertain to class. She is not doing well in the class and is close to failing, but needs this class to graduate. One day, she went to the instructor's office to talk about her grade. To her surprise, he offered her a passing grade if she would have sex with him. He told her that no one would have to know; that it would be their secret and with a passing grade she would be able to graduate.

Student C Reports:

Student C is in the Auto Body Repair and Painting Program. She participates in the Cooperative Education Program, which gives her the opportunity to gain valuable work experience in auto body repair and painting. As a co-op student this semester, she is working for LCK's Auto Body Repair and Painting Shop. She has reported that each time she goes to the shop, one of LCK's employees often touches her on the shoulders or waste, pats her thigh and slaps her on the rear end. He refers to her and other women in a very demeaning way, and tells her that her place is in the kitchen.

Employee A Reports:

Within the first few months of her employment, Employee A began to experience behavior from her immediate supervisor that made her feel very uncomfortable about coming to work. He often questioned her about her sex life and told her how bad his sex life was, complimented her on how good she looked after having a baby, and made sexual comments about other female employees. All of the unwanted, unsolicited behavior began to make her feel sick to her stomach. There were many days that she called in sick because she did not want to face her supervisor.

What Can You Do?

Do not accept sexual harassment as the “way things are.” You do not have to endure abuse. You can do any of the following:

Say No. Tell the harasser, either verbally or in writing, to stop.

Tell Someone. If you don't feel comfortable telling the harasser, seek support from friends, fellow students and co-workers. Have one or more of them present when you tell the harasser to stop. Seek support from a counselor, professor, supervisor, advisor, colleague, or friend.

Take Action. Write a letter to the harasser communicating what happened, when it occurred, that you want the behavior to stop and that if it does not, you will take formal action. Sign the letter, keep a copy and give it to the harasser in front of witnesses.

Keep records. Document everything as precisely as possible, all incidents, all attempts to stop the harassment, what you did, how you felt, names of witnesses, witnesses' responses, times, dates, etc. Keep any evidence, i.e., letters, notes, pictures, etc.

Seek advice. You should tell someone at the college who is in a position of authority, be it your professor, counselor, Dean of Students or Equal Employment Opportunity/Affirmative Action (EEO/AA) Coordinator. Remember you are not alone and you do not have to put up with it.

Help is Available

Any employee or student of the UH Community Colleges who seeks information, counseling or advice on filing an informal or formal complaint pertaining to sexual harassment may contact the individuals or agencies listed below. Every effort will be made to protect the privacy and ensure the confidentiality of all parties concerned.

Employment Training Center
879 N. King Street
Honolulu, HI 96817
Dean of Students: 832-3722
EEO/AA Coordinator: 832-3706

Hawai'i Community College
200 W. Kawili Street
Hilo, HI 96720
Dean of Students: 974-7658
EEO/AA Coordinator: 974-7436

Kaua'i Community College
3-1901 Kaunualii Highway
Lihu'e, HI 96766
Dean of Students: 245-8274
EEO/AA Coordinator: 245-8258

Leeward Community College
96-045 Ala Ike
Pearl City, HI 96782
Dean of Students: 455-0265
EEO/AA Coordinator: 455-0377

Honolulu Community College
874 Dillingham Boulevard
Honolulu, HI 96817
Dean of Students: 845-9235
EEO/AA Coordinator: 847-9843

Maui Community College
310 Ka'ahumanu Avenue
Kahului, HI 96732
Dean of Students: 984-3268
EEO/AA Coordinator: 984-3253

Kapi'olani Community College
4303 Diamond Head Road
Honolulu, HI 96816
Dean of Students: 734-9522
EEO/AA Coordinator: 734-9575

Windward Community College
45-720 Kea'ahala Road
Kaneohe, HI 96744
Dean of Students: 235-7466
EEO/AA Coordinator: 235-7404

Office of the Senior VP & Chancellor for Community Colleges

2327 Dole Street
Honolulu, HI 96822
Director of EEO/AA: 956-4650

Federal Agencies

Office for Civil Rights

U.S. Department of Education, Region X
Mail Code 10-9010
915 Second Avenue, Room 3310
Seattle, WA 98174-1099
Phone: 206-220-7900 / Fax: 206-220-7887
Time Frame to File a Complaint: 180 days.
OCR may extend the time if "good cause" is shown.

Equal Employment Opportunity Commission

300 Ala Moana Boulevard, Room 7123A · Box 50082
Honolulu, HI 96813
Phone: 541-3120 / Fax: 541-3390
Time Frame to File a Complaint: 180/300 days.
Consult EEOC for your particular situation.

Office of Federal Contract Compliance Programs

300 Ala Moana Boulevard, Room 3310
Honolulu, HI 96813
Phone: 541-2933 / Fax: 541-2904
Time Frame to File a Complaint: 180 days.
OFCCP may extend the time if "good cause" is shown.

State Agency

Hawaii Civil Rights Commission
830 Punchbowl Street, Room 411
Honolulu, HI 96813
Phone: 586-8636 / Fax: 586-8655
Neighbor Islands: 1-800-468-4644, ext. 68636
Time Frame to File a Complaint: 180 days.

Community College EEO/AA Coordinators or Dean of Students

Each campus has an EEO/AA Coordinator and Dean of Students who can provide information on Community College policies and informal and formal complaint options. The phone numbers of your campus EEO/AA Coordinator and Dean of Students are listed above or call the Community College EEO/AA Director's Office for a referral: (808) 956-4651 (V/T). Community Colleges' website: www.hawaii.edu/ccc.

Unions

Three unions are represented at UH: HGEA, UHPA, and UPW. Contact your own bargaining unit for assistance.

Governmental Agencies

Several federal and state agencies that can help you are listed here. In some cases, you must file a charge with a governmental agency before you can file a lawsuit. Each agency has a time frame for filing complaints.

Legal Counsel

If you desire legal advice, you may consult a lawyer for more information. Whereas the above options are free, there maybe a charge for legal services.