

Discrimination and Unlawful Harassment Policy

Equal Employment Practices

CCA is an equal-opportunity employer and makes employment decisions on the basis of merit. We want to have the best available person in every job. The college prohibits unlawful discrimination based on sex, race, color, religion, religious creed, age (over 18 years), mental or physical disability, medical condition as defined by law, national origin, marital status, veteran status, sexual orientation, gender identity, or any other consideration made unlawful by federal, state, or local laws. CCA's commitment to equal-opportunity employment applies to all persons involved in the operations of the college and prohibits unlawful discrimination by any employee of the college, including supervisors and coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with disabilities, the college will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual who is an applicant or an employee, unless undue hardship for the college would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of his or her job should contact the director of human resources and request such an accommodation. The college will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job and then identify what possible accommodation, if any, would help to eliminate the barriers. If the accommodation is reasonable and will not impose an undue hardship, the college will make the accommodation. The college may also propose alternative accommodation(s).

If an employee believes that he or she has been subjected to any form of unlawful discrimination, he or she should submit a written complaint to the director of human resources, the president of the college, and/or his or her supervisor. The complaint should be specific and include the names of the individuals involved as well as the names of any witnesses. CCA will, in all appropriate cases, immediately undertake an effective, thorough, and objective investigation. CCA will endeavor to protect the privacy and confidentiality of all parties involved, as much as is possible. If the college determines that unlawful discrimination has occurred, effective remedial action will be taken, commensurate with the severity of the offense, up to and including termination. Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to the complaining employee. The college will not retaliate against an employee for filing any good-faith complaint and will not knowingly permit retaliation by management, coworkers, or other employees.

Applicable law prohibits retaliation against any employee by another employee or by the college for reporting, filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the college or a federal or state enforcement agency. Any retaliation should be reported immediately to any college supervisor or the director of human resources. Reports of retaliatory conduct will be immediately, objectively, and thoroughly investigated in accordance with the procedures outlined above.

Unlawful Harassment

In accordance with applicable law, CCA prohibits sexual harassment and harassment based on race, color, national origin, ancestry, religion, creed, disability, gender, gender identity, medical condition, marital status, sexual orientation, age, or any other basis protected by federal, state, or local law. The college is committed to taking all reasonable steps to prevent harassment.

Employees should bear in mind that CCA is an art college and, as part of its curriculum and functions, nude models and artistic renderings of nude figures, in appropriate context, may be exhibited on campus.

Sexual Harassment Defined and Prohibited

Federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

California law defines sexual harassment as unwanted sexual advances or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior, including, but not limited to: unwanted sexual advances; offering employment in exchange for sexual favors; making or threatening reprisals after a negative response to sexual advances; visual conduct such as leering, making sexual gestures, or displaying pornographic objects, pictures, cartoons, or posters; verbal sexual advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary about an individual's body; sexually degrading words to describe an individual; suggestive or obscene letters, notes, or invitations; or physical conduct such as touching, assault, or impeding or blocking movements

Sexual harassment by any CCA employee is unlawful whether it involves coworkers, supervisors, managers, faculty, students, or persons doing business

with or for the college.

Preventing Harassment

A program to eliminate harassment from the workplace is not only required by law but is also the most practical way to prevent incidents from occurring, and to avoid or limit damages if harassment should occur despite preventive efforts.

Reporting Procedure

CCA's reporting procedure provides for an immediate, thorough, and objective investigation of any harassment claim; appropriate disciplinary action against anyone found to have engaged in prohibited harassment; and appropriate remedies to any victim of harassment.

1. Employees who believe they (or anyone at CCA) have been harassed on the job should as soon as possible submit a verbal or (preferably) written complaint to the director of human resources, the president of the college, and/or their supervisor.

The report should include details of the incident(s), the names of individuals involved, and the names of any witnesses. Supervisors and managers should immediately refer all harassment reports to the director of human resources or the president of the college.

2. The college will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. The determination regarding the alleged harassment will be communicated to the employee(s) who complained and the accused harasser(s).

3. If CCA determines that harassment has occurred, the college will take effective remedial action commensurate with the circumstances, including appropriate

disciplinary action (up to and including termination) against anyone found to have engaged in prohibited harassment, and appropriate remedies to any victim of harassment. Appropriate action will also be taken to deter any future harassment.

4. Whatever action is taken against the harasser(s) will be communicated to the employee(s) who complained, to the extent that the college believes it is appropriate to do so.

Protection Against Retaliation

Both CCA policy and California law prohibit retaliation against any employee by another employee or by the college for using this reporting procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the college or by a federal or state enforcement agency. Any report of retaliation by the one accused of harassment, or by coworkers, supervisors, or managers, will be immediately, effectively, and thoroughly investigated in accordance with the college's investigation procedure outlined above. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination, will be taken.

Liability for Harassment

Any employee of CCA, including coworkers, supervisors, or managers, found to have engaged in unlawful harassment will be subject to disciplinary action, up to and including termination.

Additional Enforcement Information

In addition to the college's internal reporting procedure, employees should be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute reports of unlawful discrimination and harassment in employment. Employees who believe that they have been discriminated against or harassed may file a report with the EEOC within

300 days of the conduct or with the DFEH within one year of the conduct. Both the EEOC and the DFEH serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes. For more information, contact the director of human resources. You may also contact the nearest office of the EEOC or DFEH:

Equal Employment Opportunity Commission
Oakland Federal Building, North Tower
1301 Clay Street, Suite 1170N, Oakland CA 94612-5217
510.637.3230; 800.669.4000

Department of Fair Employment and Housing
Oakland District Office
1515 Clay Street, Suite 701, Oakland CA 94612-1460
510.622.2941; 800.884.1684

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