V. Sexual Harassment Policy:

A. Introduction

It is the goal of Five Colleges, Incorporated to promote a workplace which is professional and which treats all those who work at Five Colleges, Incorporated with dignity and respect. Sexual harassment is unlawful* and will not be tolerated by Five Colleges, Incorporated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against an individual for cooperating with an investigation of a sexual harassment complaint is also unlawful and will also not be tolerated.

Because Five Colleges, Incorporated takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is demonstrated to our satisfaction that such harassment occurred, we will act promptly to eliminate the harassment and impose such corrective action as is necessary, including disciplinary action where appropriate.

1. Definition

Sexual harassment is generally defined as follows: sexual advances, requests for sexual favors, and verbal, nonverbal or physical conduct of a sexual nature when either (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Sexual harassment is sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers. The following are some examples of behavior that is prohibited and may be considered sexual harassment: (i) unwelcome sexual advances, whether they involve physical touching or not, (ii) unwelcome touching, (iii) requests for sexual favors in exchange for actual or promised job benefits, (iv) assault or coerced sexual acts, or (v) sexual remarks, display of sexual material and sexual gestures.

2. Internal Procedures

Employees who feel that they have been subjected to sexual harassment may file a complaint with the Treasurer, Five Colleges, Incorporated, 97 Spring Street, Amherst, MA 01002, (413) 253-8316. This may be done in writing or orally. All complaints will be investigated in a fair and expeditious manner. The investigation would include a private interview with the person filing the complaint. We may also interview the person alleged to have committed sexual harassment as well as any witnesses.

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* Massachusetts General Laws, Chapter 151B and 1996 Acts and Resolves, Chapter 278.
If our investigation reveals that behavior prohibited by this policy did occur, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action. Such actions may include counseling, informal or formal reprimands, and/or written sanctions, including termination from employment. When we have completed our investigation, we will inform the person filing the complaint of the completion of the matter.

3. **External Procedures**

In addition to the above, employees who believe that they have been subjected to sexual harassment may file a formal complaint with the United States Equal Employment Opportunity Commission and the Massachusetts counterpart, whose addresses are set forth below. These agencies will prepare and investigate complaints of sexual harassment and may take appropriate action.

   1 Congress Street–10th Floor
   Boston, MA 02114
   (617) 565-3200

b. **The Massachusetts Commission against Discrimination (“MCAD”)**
   Boston Office:
   One Ashburton Place – Rm 601
   Boston, MA 02108
   (617) 727-3990

   Springfield Office:
   424 Dwight Street, Rm 220
   Springfield, MA 01103
   (413) 739-2145