

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

STATEMENT OF POLICY

POLICY NUMBER: 8-5-101

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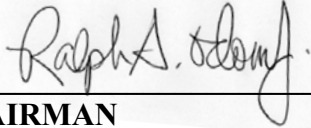
POLICY TITLE: ANTI - HARASSMENT

LEGAL AUTHORITY: Section 59-53-20 and 16-3-1700 of the 1976 Code of Laws of South Carolina, As Amended; Title VII of the Civil Rights Act of 1964, As Amended; Title IX Education Amendments of 1972, As Amended

DIVISION OF RESPONSIBILITY: Human Resource Services

DATE APPROVED BY BOARD: November 18, 1982

DATE OF LAST REVISION: May 24, 2005


CHAIRMAN


EXECUTIVE DIRECTOR

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM.

It is the policy of the State Board for Technical and Comprehensive Education that any verbal or physical conduct or behavior which constitutes harassment, as discussed in the accompanying procedure, will not be tolerated.

The Executive Director/President shall ensure that all employees are aware of this policy and that violators will be subject to disciplinary action up to and including termination.

Any employee who believes that he¹ is the victim of harassment shall have the right to seek an investigation or to file a complaint in accordance with Policy Number 8-6-100.

¹ Masculine pronoun includes the feminine.

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PROCEDURE

PROCEDURE NUMBER: 8-5-101.1

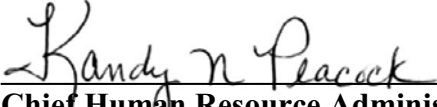
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TITLE: ANTI-HARASSMENT

POLICY
REFERENCE NUMBER: 8-5-101

DIVISION OF
RESPONSIBILITY: Human Resource Services

DATE OF LAST REVISION: June 8, 2005


Chief Human Resource Administrator


Executive Director/System President

DISCLAIMER

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1. PURPOSE AND COMMITMENT

The South Carolina Technical College System is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, the System Office and colleges will not tolerate harassment of its employees by others, including any supervisor, co-worker, vendor, client, or students.

2. DEFINITIONS

“Harassment” consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person’s sex, color, race, religion, national origin, age, disability, or other

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protected status. The System Office and colleges will not tolerate harassing conduct that affects tangible job benefits (pay, promotion, time off, etc.), that interferes unreasonably with an individual's work performance, or that creates an intimidating or hostile environment.

3. CLARIFICATION OF SEXUAL HARASSMENT

“Sexual harassment” consists of unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when: (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile environment. Sexual harassment may include explicit sexual propositions, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, rubbing, or intentionally brushing against another's body. Sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing,” “practical jokes,” jokes about gender-specific traits, may amount to harassment. The severity of the conduct will be determined on a case by case basis.

The victim, as well as the harasser, may be male or female. The victim does not have to be of the opposite sex. The victim does not have to be the person harassed but could be a bystander who witnessed and was offended by the conduct.

“Stalking” consists of a pattern of words (written or electronic) or conduct that is intended to cause, or causes, a targeted person (and would cause a reasonable person in the targeted person's position) to fear: (1) death of the person or a member of his family; (2) assault upon the person or a member of his family; (3) bodily injury to the person or a member of his family; (4) criminal sexual contact against the person or a member of his family; (5) kidnapping of the person or a member of his family; or (6) damage to the property of the person or a member of his family.

4. RIGHTS AND RESPONSIBILITIES

All employees are responsible for helping to eliminate harassment. If any employee

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believes that he[^] experienced or witnessed harassment, he should immediately notify his supervisor, the Human Resource Manager, or any other official. Pursuant to the policy of the State Board for Technical and Comprehensive Education, any employee who believes that he is the victim of harassment shall have the right to seek an investigation or to file a complaint in accordance with Policy Number 8-6-100.

Management has the responsibility to conduct periodic training for employees and supervisors on all aspects of the anti-harassment policy.

5. INVESTIGATION PROCEDURE

Harassment complaints should be investigated as promptly and thoroughly as possible. A Human Resource Manager will normally conduct the investigation, but in certain circumstances, another impartial investigator may be designated. If the investigation reveals that the complaint is valid and that harassment has occurred, the System Office or college will take immediate appropriate action to stop the harassment and prevent it from occurring in the future.

The South Carolina Technical College System strictly prohibits retaliation against any victim or witness who has reported harassment in good faith or otherwise participated in an investigation of harassment.

6. CONFIDENTIALITY

To encourage the reporting of harassment and for the protection of the accused, investigations will remain confidential, to the maximum extent possible. Any questions about this policy should be directed to a representative of the Human Resource office.

[^] Masculine pronoun includes the feminine.

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PROCEDURE

PROCEDURE NUMBER: 8-7-100.2

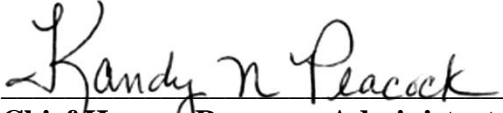
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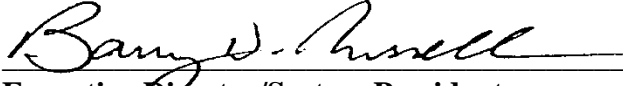
TITLE: TEMPORARY EMPLOYMENT

**POLICY
REFERENCE NUMBER:** 8-7-100

**DIVISION OF
RESPONSIBILITY:** HUMAN RESOURCE SERVICES

DATE OF LAST REVISION: May 11, 2006


Chief Human Resource Administrator


Executive Director/System President

DISCLAIMER

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The South Carolina Technical College System (SCTCS) may employ individuals in temporary status to perform specific duties and responsibilities for a defined project, adjunct teaching assignment, peak workload period, and for replacement of employees on leave of absence.

All personnel employed in temporary status are subject to the following provisions:

- 1) The period of employment, on a full-time or part-time basis, may not exceed twelve (12) consecutive months.
- 2) Temporary employees are not considered salaried employees and shall be paid at an hourly pay rate for actual hours worked during each pay period.

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- 3) Temporary employees are not eligible for paid leave, nor other benefits normally associated with employees in FTE positions, except that they must be offered the option of joining the S. C. Retirement System.
- 4) Temporary employees are deemed as employed at will and will not be considered for either probationary or FTE status. They do not have the right to submit grievances or appeals to the State Employee Grievance Committee and can only make an informal complaint by accessing the institution's internal policy and/or procedure¹. Matters arising from alleged acts of discrimination because of race, color, religion, sex, national origin, age, and certain legally defined disabilities may be filed within the agency, the South Carolina Human Affairs Commission or the Equal Employment Opportunity Commission.
- 5) Temporary employees do not have the rights or protection of the State Board for Technical and Comprehensive Education (SBTCE) Reduction In Force Procedure, and are subject to termination in order to provide continued employment for an employee affected by an institutional RIF.
- 6) Temporary positions are covered by the same employment laws as covered positions such as Fair Hiring Practices, Nepotism, Fair Labor Standards Act, etc.

Technical colleges may develop an institutional policy statement explaining the college's philosophy for the use of the temporary employment status and a detailed procedure defining the college's temporary employment process.

¹ Informal complaints may be filed with an employee's Human Resource Officer. Each College and the System Office must develop its own process for handling informal complaints.

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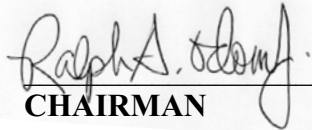
POLICY TITLE: WORKPLACE VIOLENCE

LEGAL AUTHORITY: Section 1-1-1410 and 59-53-20 of the 1976 Code of Laws of South Carolina, As Amended

DIVISION OF RESPONSIBILITY: Human Resource Services

DATE APPROVED BY BOARD: July 12, 2005

DATE OF LAST REVISION:


CHAIRMAN


EXECUTIVE DIRECTOR

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It is the policy of the State Board for Technical and Comprehensive Education to have zero tolerance regarding acts or threats of violence in the workplace. Any acts of violence which include, but are not limited to: physical assaults, threats, harassment and property damage committed by agency or college employees, students, vendors, or members of the public on agency or college grounds will be promptly investigated, and appropriate disciplinary measures will be taken, up to and including dismissal from employment and/or arrest and prosecution.

The State Board for Technical & Comprehensive Education expects all employees to interact in ways that promote cooperation and mutual respect.

Each technical college/System Office may develop specific guidelines to address workplace violence issues at their respective institutions