

**The Texas A&M University System
The Texas Engineering Extension Service
Agency Rules**

34.01.99.N1 Sexual Harassment

Supplements System Policy 34.01

1. General:

The working environment throughout the Texas Engineering Extension Service (TEEX) shall be free of all forms of sexual discrimination and sexual harassment. Conduct which constitutes sexual harassment is specifically prohibited and will result in appropriate sanctions. Employers are not only accountable for the conduct of their employees, but also for the conduct of those individuals with whom their employees come into contact in the course and scope of their employment. In addition, we are responsible for protecting employees from sexual harassment by our customers, vendors, consultants, and independent contractors. It is the agency's policy to encourage the reporting of all perceived incidents of sexual harassment, regardless of the position of the alleged offender.

All information pertaining to an allegation of sexual harassment will be kept confidential to the greatest extent possible permitted by law. Internal disclosure of the information will be limited to those who have a legitimate need to know, such as witnesses, investigators, and supervisors of the complainant and the alleged offender. The parties involved will be instructed to keep the investigation confidential to the extent practical given the circumstances.

Any form of discrimination or retaliation against any individual who files a sexual harassment complaint will not be permitted. Persons who make false accusations of sexual harassment will be subject to disciplinary action.

There will be no discrimination or retaliation against any individual who participates in the investigation of the complaint.

2. Procedure:

The complaint must be filed in writing with the TEEX human resources office within ninety (90) days of the alleged incident. In the event that Human Resources is unavailable to investigate the complaint, the Director will designate another individual.

The human resources office/Director of Internal Services (DIS) or designee will begin the investigation within five working days of receiving the complaint.

The human resources office will notify respondent and the division head of the complaint and gather information and/or statements from individuals who may have knowledge of the subject matter in the allegations, including the respondent.

Upon completion of the investigation, the investigator will file a written report and recommended actions with the Director of the agency within ten days of the closure of the investigation.

The investigator must reach one of the following conclusions: sexual harassment occurred; sexual harassment did not occur; or there is insufficient evidence to make a determination of whether it did or did not occur.

The Director or designee will review the report and will determine the appropriate action(s) to be taken.

The findings and action(s) to be taken will be forwarded, in writing, to the human resources office, the division head/supervisor of the accused, the accused and the complainant within 10 working days from the date the Director receives the report.

3. Closing of a Complaint

A complaint is closed when the findings have been delivered to all parties to the complaint and when all actions have been taken, or after final resolution of any appeals.

A complaint may be closed at the request of the complainant.

A complainant who fails to appear for a scheduled meeting and who does not notify the appropriate party they are unable to attend may be deemed to have abandoned the complaint. The human resources office may then declare the complaint abandoned and close the file.

4. Follow Up

If a finding of sexual harassment is made, the human resources office will follow up in approximately 30 days to verify the harassing behavior has ceased.

CONTACT FOR INTERPRETATION: Associate Agency Director

HISTORY: Not previously issued

RECOMMENDATION: _____
Associate Agency Director Date

RECOMMENDATION: _____
Deputy Agency Director, Compliance Date

APPROVAL: _____
Director Date

LEGAL SUFFICIENCY: _____
Associate General Counsel Date