

UW Whitewater Police



Harassment		Number: 26.1.3	No. Pages: 2
		Special Instructions: CALEA 26.1.3	Date Reviewed: 10/30/2025
Approved By: Chief Kiederlen	Effective Date: 5/22/2008	Revised Date: 3/22/2024	Revision number: 5

I. Purpose

This order prohibits harassment in the work place and provides a means by which harassment can be reported.

II. Definitions

Harassment: Conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual Harassment: Sexual harassment is defined by the University of Wisconsin – Whitewater as conduct on the basis of sex that satisfies one or more of the following:

- *Quid pro quo sexual harassment.*
 - An employee of the institution conditions the provision of an aid, benefit, or service of the institution directly or indirectly on an individual’s participation in unwelcome sexual conduct.
 - An employee of the institution either explicitly or implicitly conditions the provision of an academic, professional, or employment-related opportunity, aid, benefit, or service on an individual’s participation in unwelcome sexual conduct.
- *Hostile environment sexual harassment.*
 - Unwelcome conduct of a sexual nature directed towards a student, an employee, or a person participating in a program or activity of the university that, when using the legal “reasonable person” standard, is so severe, pervasive, and objectionably offensive that it effectively denies the person equal access to the institution’s education program or activity.
 - Unwelcome conduct of a sexual nature directed towards an individual that, when using the legal “reasonable person” standard, is so severe or pervasive and objectively offensive that it has the purpose or effect of unreasonably interfering with an individual’s academic or work performance or participation in a university sponsored or supported activity.

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Discriminatory Harassment: a form of discrimination consisting of unwelcome verbal, written, graphic or physical conduct that:

- Is directed at an individual or group of individuals on the basis of the individual or group of individuals' actual or perceived protected status, or affiliation or association with person(s) within a protected status (as defined above); and
- Is sufficiently severe or pervasive so as to interfere with an individual's employment, education or academic environment or participation in institution programs or activities and creates a working, learning, or living environment that a reasonable person would find intimidating, offensive or hostile.

Retaliation: Adverse action taken against an individual in response to, motivated by or in connection with an individual's complaint of discrimination or discriminatory harassment, participation in an investigation of such complaint and/or opposition to discrimination or discriminatory harassment in the educational or workplace setting.

III. Policy

The UW-Whitewater Police Department (UWWPD) takes a stand against all forms of harassment through policies and directives that prohibit such conduct; providing thorough investigation of any harassment complaint(s); issuing appropriate disciplinary action where allegations can be substantiated; and making members aware of the issues involved. This includes compliance with UWW Regent Policy 14-2 (Discrimination, Harassment, and Retaliation) and UWW Policy 14-6 (Harassment and Discriminatory Actions). All department members are responsible for creating a professional, inclusive environment free from harassment or discrimination of any kind.

IV. Procedure

A. Departmental Expectations

1. To ensure a safe, professional and non-offensive environment, no material which could be construed to be of a sexual or otherwise offensive nature will be allowed within UW-Whitewater Police Department. This includes, but is not limited to: magazines, calendars, movies, pictures, screen savers, computer backgrounds or other items depicting provocative, exotic or erotic images.
2. Exceptions may be made by supervisors for items which are needed for a legitimate, department sanctioned training or for evidentiary purposes.
3. All employees are expected to refrain from any behavior or communication that could reasonably be perceived as discriminatory, harassing, or retaliatory under UWW Regent Policy 14-2 and 14-6.

B. Employee Reporting

1. Employees who believe they have been the subject of harassment are encouraged to report the incident immediately to their supervisor, unless the complaint involves

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the supervisor, then the employee will report the incident to the next supervisor in the chain of command.

2. When employees, other than victims, become aware of conduct believed to be harassment or discrimination by another employee, they should report the incident to their supervisor. This applies whether or not the conduct is directed at the reporting employee.
3. The reporting employee should generate a written report on the incident as soon as possible.
4. Employees may also report harassment to the Title IX office located in the Human Resources Department in Hyer Hall.
5. Employees may alternatively report incidents through the University's Equal Opportunity Office or as outlined in UWW Policies 14-2 and 14-6.

C. Investigation

1. The complaint will be promptly investigated by the supervisor or designee and a conclusion reached in a timely fashion.
2. Dependent upon the findings, members found to have engaged in harassment shall face disciplinary action up to and including termination.
3. If the employee reports to the Title IX office, the complaint will be investigated per the UW-Whitewater Sexual Violence and Sexual Harassment Policy (Link below).
4. Investigations of non-sexual discriminatory harassment or retaliation will be conducted in accordance with UWW Regent Policy 14-2 and 14-6.

D. Supervisory Responsibility

1. It is a supervisor's responsibility to ensure that employees of UWWPD feel free to report harassment.
2. Supervisors should take prompt and appropriate corrective action when they observe or are made aware of conduct that may be interpreted as discrimination or any form of harassment, regardless of an informal or formal complaint.
3. Supervisors will take the complaint; ensure it is investigated in compliance with all General Orders and contractual agreements, complete reports, and forward information to the Chief.
4. In all cases, due process provided through policy, procedure or contract will be afforded to any and all individuals involved.
5. Supervisors are required to ensure compliance with UWW Regent Policies 14-2 and 14-6 and to document any remedial or disciplinary actions taken.

E. Training on Harassment

1. The University of Wisconsin- Whitewater requires all employees to complete training on sexual harassment within 30 days of hire, and then every three (3) years after that. The training is sponsored by the Title IX office in the Human Resources Department.

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F. UW-Whitewater Resources: To view UW-System policies on Harassment, view the below links.

1. Regent Policy 14-2: <https://www.uww.edu/system-harassment>
2. Regent Policy 14-6: <https://www.wisconsin.edu/regents/policies/discrimination-harassment-and-retaliation/>
3. Sexual Harassment Policy: <https://www.uww.edu/sexual-misconduct-information>
4. UWS Statutes regarding Sexual Misconduct:
https://docs.legis.wisconsin.gov/code/admin_code/uws/17/iv/16