



Anti-Harassment Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) and the State of South Dakota will not tolerate harassment or offensive behavior based on race, color, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, age, disability or political affiliation.

Harassment includes conduct that creates a hostile work environment or results in a “tangible employment action,” such as hiring, firing, promotion or failure to promote, demotion, work assignments or compensation decisions. This prohibition against harassment also encompasses sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually harassing nature, when: (1) submission to the harassment is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the harassment is used as the basis for employment decisions affecting an individual or (3) the harassment has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Employees must not engage in harassment or offensive behavior. Additionally, because of the SDSTA’s strong commitment to keeping the workplace free from harassing and offensive behavior, employees must avoid any conduct that could be viewed as harassing or offensive even if the conduct does not violate federal or state law or constitute harassment.

Harassment or offensive behavior may take different forms and may be verbal, nonverbal or physical in nature. To aid employees in identifying inappropriate conduct, the following examples of harassment or offensive behavior are provided (these examples are not all-inclusive):

- Unwelcome physical contact such as kissing, fondling, hugging or touching;
- Demands for sexual favors; sexual innuendoes, suggestive comments, jokes of a sexual nature, sexist put-downs, or sexual remarks about a person’s body; sexual propositions or persistent unwanted courting;

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- Swearing, offensive gestures, or graphic language made because of a person's race, color, religion, national origin, sex, age or disability;
- Slurs, jokes, or derogatory remarks, email, or other communications relating to race, color, religion, national origin, sex, age or disability; or
- Calendars, posters, pictures, drawings, display, cartoons, images, lists, e-mails, or computer activity that reflects disparagingly upon race, color, religion, national origin, sex, age or disability.

An employee who has a complaint of harassment or offensive behavior by anyone, including supervisors, co-workers, or non-employees, should immediately notify his or her supervisor, a higher-level supervisor, the Human Resources Administrator or the Executive Director of the SDSTA.

The person who receives a harassment complaint shall immediately report the matter to his or her supervisor (or a higher-level supervisor if his or her supervisor is allegedly involved in the harassment) and the personnel representative.

All complaints will be investigated. If the investigation supports charges of harassment or a violation of this policy, appropriate corrective action against the alleged harasser will take place immediately and may include disciplinary action up to and including termination. The SDSTA will protect the confidentiality of harassment allegations to the extent possible, and information about alleged harassment will only be shared with those individuals who need to know about it. While the SDSTA cannot guarantee complete confidentiality since it cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses, it will keep information as confidential as possible.

The SDSTA will not tolerate adverse treatment of employees because they report harassment, oppose discrimination in the workplace, participate in the complaint process, or provide information related to complaints. If an employee feels that he or she has been subjected to retaliation, the employee should immediately report the alleged retaliation to his or her supervisor, a higher-level supervisor or the SDSTA's Human Resources Administrator.



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In addition to reporting alleged harassment to the SDSTA, an employee may file a charge of discrimination based on race, color, religion, national origin, sex, disability, genetic information or protected activity with the South Dakota Division of Human Rights (Human Rights) or may file a charge of discrimination based on race, color, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, age, disability, political affiliation, genetic information or protected activity with the U.S. Equal Employment Opportunity Commission (EEOC). A charge of discrimination based on race, color, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, age, disability, political affiliation, genetic information or protected activity must be filed with Human Rights or with the EEOC within 300 days of the violation. A charge of age discrimination must be filed with the EEOC within 180 days of the violation. These deadlines run from the last date of unlawful harassment or discrimination.

Please contact the SDSTA's Human Resources Administrator if you have any questions about harassment or this policy.