

UNIVERSITY OF CALIFORNIA, BERKELEY

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SANTA BARBARA • SANTA CRUZ

RESIDENTIAL AND STUDENT SERVICE PROGRAMS
2610 CHANNING WAY #2272
BERKELEY, CALIFORNIA 94720-2272

November 12, 2014

Phillip Loya

Re: Letter of Warning

Dear Phillip,

In accordance with Policy 62 of Personnel Policies for Staff Members (PPSM), this is a letter of warning, for inappropriate and unwanted contact with another co-worker. More specifically, the Office for the Prevention of Harassment and Discrimination (OPHD) found you in violation of the University of California Policy on Sexual Harassment. As a result of that finding, I am issuing this letter of warning.

This letter of warning follows an investigation conducted by OPHD into complaints made by [REDACTED] related to unwelcome touching that occurred on several occasions between December 2012 and April 2014. Based on the evidence gathered by OPHD, the investigator concluded that you more likely than not subjected [REDACTED] to pervasive, unwanted touching. This behavior will not be tolerated in the Residential and Student Services Program (RSSP).

In addition to this letter of warning, you must complete the "Preventing Sexual Harassment" for non-supervisor training found at the following link.

<http://training.newmedialearning.com/psh/ucberkeley/choice.htm>

There is a 15 question test at the end of the training and you must show your mastery by correctly answering enough of the questions in order to receive the certificate of mastery. You must successfully complete this training by **Friday, December 5, 2014 at 5:00 pm.** and provide me the certificate, which will be kept in your employee file as proof that you passed the training and are aware of the applicable laws and policies. Additionally, I ask that you write a summary of this training, highlighting the insights you gained as to why it is necessary that Student Affairs professionals, such as yourself, be cognizant of sexual harassment issues. This summary should be three to five pages and is due to me by **Wednesday, December 10, 2014 at 5:00 pm.**

Your behavior has a direct impact on [REDACTED] and you are expected to conduct yourself professionally and in line with the (RSSP) Respect and Civility Statement. You may not engage in any inappropriate contact with any member of the University of California Berkeley community, visitors, or vendors.

Failure to meet these requirements will result in further disciplinary action, up to and including dismissal.

You have a right to request review of this action under Policy 70: Complaint Resolution.

Sincerely,



Stephen C. Sutton, Ed.D.
Assistant Vice Chancellor

Attachments: RSSP Respect and Civility Statement

cc: Employee Personnel File
Interim Director Brienna Wright

I have received this letter and am aware of my right to request review of this action under Policy 70: Complaint Resolution


Philip Loya

11/12/2014

Date

RSSP Respect and Civility Statement

Residential and Student Service Programs is an organization comprised of over 2,000 full and part time staff members who provide students "a life-enriching experience based on the tradition of academic excellence at the University of California, Berkeley."

As we serve our students and each other, it is vital we embrace the values of RSSP and model them at all levels.

Respect:

- Our staff treats each other with a sense of worth and excellence of a person.
- We will share in each others success and support each other in challenging times.

Communication:

- Our communications will be clear, honest, timely, respectful, and above all polite.
- We will direct our concerns to the source for clarification and resolution.
- We will listen to others' points of view and remain open minded with respect to understanding cultural differences and work styles.

Involvement:

- Our work reflects the mission and goals of RSSP.
- We value and expect input from all levels of the organization.
- We actively and positively participate in creating the future of RSSP.

Teamwork:

- We promote teamwork by sharing workload, information, and ideas.
- We assist each other to achieve our goals.

Cultural Understanding:

- We promote, encourage and invite an exchange of ideas, customs and beliefs with each other and our students.
- We will learn more about the cultures of those around us and share our own culture with them.