

## **SECTION 7.7.1 -- SEXUAL HARASSMENT POLICY** (Revised 9-5-2017)

- A. Purpose: The Ouachita Parish Police Jury is committed to providing its employees a work environment free from sexual harassment. This policy is intended to stress the OPPJ's strong opposition to sexual harassment and to identify both the complaint procedures available to victims, and the disciplinary penalties that can be imposed for sexually harassing conduct or behavior.
- B. Summary  
All OPPJ employees have a right to work in an environment free from discrimination, including freedom from sexual harassment. All employees are required to comply with federal, state, and local laws; government regulations; and, executive orders which relate to sexual harassment. All employees must refrain from offensive or inappropriate conduct of a sexual nature within the workplace. Managers and supervisors are responsible for discussing this policy with subordinates and ensuring that the workplace is free of sexual harassment. Any employee violating this policy will be appropriately disciplined.
- C. Prohibited Conduct
1. It is illegal and against the employer's policy for any worker, supervisor, manager, administrator or vendor/visitor, male or female, to harass another worker by: making unwelcome sexual advances or favors or other verbal or physical conduct of a sexual nature a condition of any worker's employment; using a worker's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; or, otherwise creating an intimidating, hostile, or offensive working environment by such conduct.
  2. The creation of an intimidating, hostile, or offensive working environment may include such actions as persistent comments on a worker's sexual preference or the display of obscene or sexually oriented photographs or drawings. However, conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory employment effect may not be viewed as harassment. The employer will determine whether such conduct constitutes sexual harassment based on a review of the facts and circumstances of each situation.

Sexual harassment includes, but is not limited to, the following:

- a. Unwelcome sexual flirtations, advances, or propositions;
- b. Unwelcome sexual teasing, jokes, remarks, or inquiries;
- c. Unwelcome sexual looks or gestures;
- d. Verbal or written abuse of a sexual nature;
- e. Requests for sexual favors;
- f. Graphic, verbal, or sexual comments about an individual or to describe an individual's body;
- g. Unwelcome physical contact (i.e., touching, rubbing against, leaning over, brushing, pinching);
- h. Sexually degrading words and demeaning or inappropriate terms (i.e., referring to a person as "Babe", "Honey", etc.);
- i. Sexual or insulting noises;

- j. Using crude and offensive language;
  - k. Discussing sexual activities or exploits;
  - l. Inappropriate commenting on a person's attributes; and/or
  - m. Displaying sexually suggestive objects, statements, graffiti, books, magazines, photographs, cartoons, or pictures.
3. The employer will not condone any sexual harassment of its employees. All workers, including supervisors and managers, will be subject to severe discipline, up to and including discharge, for any act of sexual harassment they commit.

D. Complaint Procedure

Any employee experiencing or witnessing sexual harassment by anyone in the OPPJ, including any manager, supervisor, administrator, co-worker, vendor, client or visitor, shall immediately report the inappropriate conduct. Any such complaint may be verbally or in writing. Under most circumstances, complaints should be made to the employee's supervisor. If the complaint involves the employee's supervisor or someone within the direct line of supervision, or if the employee, for any reason, is uncomfortable in reporting to his/her supervisor, he/she may contact any other supervisor or directly contact the OPPJ Human Resources Director, the Parish Treasurer, or the Parish Attorney.

E. Investigation of Complaint

1. All reports of sexual harassment will immediately be reported to the Human Resources Director.
2. Supervisors and managers who receive a sexual harassment complaint should carefully investigate the matter, questioning all employees who may have knowledge of either the incident in question or similar problems. Both the complaint and the investigative steps and findings should be documented thoroughly.
3. If an employee reports a sexual harassment complaint against a supervisor or manager to a Department Head or Administrator, the OPPJ HR Department will direct the investigation.
4. The OPPJ can choose to select outside investigators trained in sexual harassment complaints to conduct the investigation.
5. OPPJ will investigate all complaints. "Informal" complaints or requests to withhold investigation will be treated the same as a formal complaint and investigated immediately.
6. Generally, to prevent further occurrences or to preserve the integrity of the investigation, temporary reassignments, transfers, or other personnel actions could be initiated.
7. The investigation will be thorough and include interviews with the complainant, the accused, witnesses, and other individuals possessing relevant information. Records and other documentation will be reviewed.
8. The investigative process will be memorialized, thus requiring that all involved prepare written statements or provide verbal statements that will be recorded.
9. Persons called upon during the investigation are required to answer all questions truthfully and cooperatively.
10. The investigative process will be conducted expeditiously and professionally, with appropriate emphasis on the rights of all involved.

11. The investigative process will also be conducted in a confidential manner, with only those in a need-to-know position involved.
12. The complaining employee and accused will be apprised of the outcome of the investigation.
13. Employees who are dissatisfied with the investigating manager's resolution of a sexual harassment complaint may file a complaint in the organization's dispute resolution procedure.

F. Complaint Resolution

- A. Any employee found, after appropriate investigation, to have engaged in sexual harassment or inappropriate behavior of a sexual nature will be appropriately disciplined in accordance with applicable law and OPPJ Personnel Manual. Such action may include counseling, reprimand, suspension, demotion, reassignment, or termination.
- B. In addition to disciplinary action, other appropriate measures, including re-training and follow-up inquiries, will be utilized to ensure that further harassment does not occur.
- C. An employee found to have filed a fraudulent sexual harassment complaint will be disciplined in accordance to the OPPJ Personnel Manual.

G. Non-Retaliation

- A. Any employee making a good faith complaint of sexual harassment will be protected from retaliation, reprisal, and harassment. Likewise, any employee providing information or otherwise participating in the investigation of a complaint of sexual harassment will be protected from retaliation, reprisal, and harassment.
- B. If a complaint is made and the investigation reveals that retaliation, reprisal, or harassment has occurred against a complaining employee or anyone participating in the investigative process, appropriate disciplinary action, up to and including termination, will be taken.