

Grant County Personnel Policy

DATE ISSUED: 03/30/2017	EFFECTIVE DATE: 03/30/2017
APPROVED:  Cindy Carter, Chair, Board of County Commissioners	03-27-17 Date Signed
LAST REVISED: 03/15/2017	CONTACT: Human Resources

206 – Anti-Harassment

206.1 Specifics

206.1.1 Harassment, based on race, color, gender, creed, religion, age, marital status, sexual orientation, national origin, the presence of any sensory, mental, or physical disability, except as otherwise provided by law, veteran status, or other basis that is prohibited by local, state, or federal laws, opposition to prohibited discrimination, or retaliation is a violation of federal and state law. Harassment is prohibited in all County workplaces. Appropriate preventative measures shall be used within this organization to promote respect for the rights of co-workers. Remedial measures and/or corrective actions, up to and including termination of employment of the offender, shall be utilized when acts of harassment occur.

206.1.2 Additionally, this policy applies to and protects any employee of Grant County and/or anyone who does business with Grant County (contractors, vendors, customers, non-employees, etc.). All harassment complaints, regardless of where reported or by whom, shall be taken seriously and assessed by management (the Department Head/Elected Official) and/or the Human Resources department.

206.2 Roles and Responsibilities of Supervisors and Managers

206.2.1 Supervisors and managers, through their actions, shall model respectful behavior by:

- (a) Pursuing preventative measures to ensure a supportive, harassment-free work atmosphere;
- (b) Encouraging reports of: (1) harassment; and/or (2) discrimination incidences;
- (c) Taking remedial measures to stop harassing behavior whenever reported or observed;

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- (d) Notifying the Human Resources department of all allegations or incidences of harassment in the workplace; and/or
- (e) Ensuring that retaliatory behavior is not allowed.

206.2.2 Supervisors and managers should be evaluated on their performance review as to their conduct, responsibilities, and adherence to this policy.

206.3 Harassing Behavior

206.3.1 Harassment is any conduct that:

- (a) Degrades or shows hostility toward an individual because of race, color, sex, sexual orientation, religion, national origin, age, disability, veteran or marital status, opposition to prohibited discrimination, or retaliation;
- (b) Creates an intimidating, hostile, or offensive working environment through written, graphic, or verbal communications including comments, jokes, slurs, or negative stereotyping, or interferes with an individual's work performance; and/or
- (c) Is sexual in nature and has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

206.3.2 Examples of harassment include, but are not limited to:

- (a) Demeaning and/or derogatory harassment toward one's gender;
- (b) Demeaning behavior, staring, pinching, touching or other physical contact, or blocking the movements of another person;
- (c) Unwelcome sexual comments, innuendoes, jokes, abuse, personal remarks, etc.
- (d) Graphic sexual or degrading verbal comments about an individual's body or words used to describe an individual;
- (e) Sexually explicit displays or distribution of pictures, materials, or objects in the workplace;

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- (f) Verbal or physical conduct directed at a person's race, color, religion, gender, national origin, age, sexual orientation, mental or physical handicap and/or marital or veteran status;
- (g) Offering or implying a reward or threat concerning work assignments, performance reviews, discipline, promotions, or other terms or conditions of employment in exchange for sexual favors;
- (h) Unwelcome sexual advances or propositions, sexual flirtations (verbal or non-verbal), obscene gestures;
- (i) Obscene letters, phone calls, e-mails, or unwelcome words or comments with sexual or otherwise discriminatory meanings;
- (j) Unwelcome request for sexual favors or repeated social contact;
- (k) Sexual assault or other unwelcome sexual contact; and/or
- (l) Foul language.

206.4 General Harassment

206.4.1 General workplace harassment is a form of offensive treatment or behavior which, to a reasonable person, creates an intimidating, hostile or abusive work environment.

206.4.2 Examples of general harassment include, but are not limited to:

- (a) Verbal or physical behavior which is derogatory, abusive, bullying, threatening or disrespectful; and/or
- (b) Ridiculing or undermining an individual with vindictive or humiliating words or acts.

206.4.3 These behaviors can constitute harassment as defined by Grant County policy even if unrelated to a legally protected status.

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206.5 Reporting Procedure: If an employee feels he/she is being harassed and/or retaliated against, immediate notification to his/her supervisor or the Human Resources Director is encouraged. If the harassment involves the supervisor or the employee does not feel comfortable bringing the matter to the attention of his/her supervisor, the incident should be reported directly to the Elected Official/Department Head or to the Human Resources Director. Employees can explore concerns and options related to harassment with the Director of Human Resources. If the alleged action involves the Human Resources Director, the report should be made to the Chair of the Board of County Commissioners.

206.6 Additional/Other Harassment Complaint Reporting Options

206.6.1 Depending on the harassment complaint, other state and federal agencies, and specific time frames for filing charges may be utilized for reporting harassment.

206.6.2 The following lists the agencies and the time frames by which a complainant must notify the agency of harassment. Most deadlines run from the last date of alleged unlawful harassment or retaliations:

(a) Human Rights Commission: 365 days

(b) Equal Employment Opportunity Commission: 300 days

206.7 Harassment Complaint Investigations

206.7.1 Whenever any supervisor or manager becomes aware of harassment, immediate remedial measures shall be taken to stop the behavior.

206.7.2 All allegations, regardless of where reported, shall be forwarded to the Human Resources department. The complaint shall be reviewed to determine whether a detailed fact-finding investigation is appropriate.

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206.7.3 If a fact-finding investigation is determined to be appropriate, the investigation shall begin within a short period of time based on the circumstances and dependent on the investigative process used by the employer. A qualified investigator shall be appointed to gather and consider the relevant facts. Employees must be ethical and honest throughout all proceedings. This qualified investigator may be from the Human Resources department or may be contracted or brought in from the outside. The confidentiality of all parties who are involved, those who present information and information about the harassment allegation(s), shall be disseminated only on a "need to know" basis or as required by law.

206.7.4 The individual who has allegedly harassed an employee shall not have supervisory authority over the individual who conducts the investigation and shall not have any direct or indirect control over the investigation.

206.8 Corrective Actions: If the findings of the investigation indicate that a violation of the harassment policy has occurred, immediate and appropriate corrective and/or disciplinary action, up to and including termination of employment, shall be administered to the offender. Corrective actions shall be proportional to the seriousness or repetitiveness of the offense. Affected parties shall be informed as to corrective actions, as allowed by law.

206.9 Awareness/Training: County-wide notices will go out when updates occur to the County's anti-harassment policies. Additionally, the complaint reporting procedures and other information regarding anti-harassment shall be posted under the Human Resources tab on the County's intranet. Appropriate training on a periodic basis will be provided so that employees have an additional tool for understanding their rights and responsibilities.

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