



#### **2.3.4 SEXUAL HARASSMENT**

Sexual harassment is illegal and is a serious form of misconduct. Sexual harassment of employees, non-employees, and/or citizens with whom the Parish has a business, service or professional relationship, including vendors and clients, is prohibited and will not be tolerated. The Parish is committed to maintaining a working environment, free from all forms of sexual harassment.

Sexual Harassment occurs when the verbal and physical conduct described above is sexual in nature or is gender-based, that is, directed at the person because of their gender. Sexual harassment does not refer to casual conversation or occasional compliments of a socially acceptable nature.

Sexual harassment violates federal and state law and is prohibited under the Parish's harassment policy when:

- Submission to the conduct is either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual; and/or
- The conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile, or offensive.

Sexual harassment includes, but is not limited to:

- Inappropriate physical contact, including blocking of movement, brushing against the body, coercive sexual involvement, cornering, grabbing, hugging, kissing, patting, pinching, poking, stalking, any form of sexual assault, and touching;
- Inappropriate visual contact including leering, obscene gestures and staring;
- Posting of sexually suggestive or derogatory pictures, cartoons, or drawing, even at one's individual work station;
- Unwelcome verbal behavior, such as comments, suggestions, jokes, demeaning remarks, insults, requests, sexual innuendo, suggestive statements, slurs or other derogatory remarks based on sex;
- Unwelcome or invasive flirting;
- Continued request for dates and propositioning an individual; and/or
- Unwanted sexual advances, requests or pressure for sexual favors and /or basing employment decisions (such as an employee's performance evaluation, work assignments, advancement) upon the employee's acquiescence to sexually harassing behavior in the workplace.

#### **2.4.0 COMPLAINT REPORTING AND INVESTIGATION**

The Parish is committed to diligently enforcing its harassment policy by promptly and impartially investigating all complaints. When harassment is discovered, the Parish shall take appropriate disciplinary action, up to and including termination. The complaint procedure is designed to deal with complaints in a fair, discreet, and timely manner to:

\*Determine if the conduct alleged in the complaint took place and constitutes harassment that violates state and federal law and constitutes harassment in the form of inappropriate or offensive behavior which violates Parish policy;

\*Stop the offending behavior;



- \* Restore the complainant's working environment;
- \*Take steps to prevent retaliation and repetition of the harassment'
- \* Educate, sanction, or discipline the harasser consistent with the seriousness of the offense.

#### **2.4.1 COMPLAINT PROCEDURES**

It is every employee's and official's responsibility to ensure that his or her conduct does not constitute harassment in any form. If, however, harassment or suspected harassment has or is taking place:

1. An employee must immediately report the harassment or suspected harassment, in writing, to his/her supervisor and/or the director of Human Resources.
2. Employees have a responsibility to report harassment. Employees should not wait to report the harassment or discrimination until the acts become so pervasive or offensive that they create a hostile working environment.
3. If the complaint involves sexual harassment and the complaining employee prefers to speak with a person of the employee's same gender, the parish will make every effort to accommodate that request.
4. Any supervisor or department head who learns of or receives a complaint of harassment through any means (including witnessing, overhearing, learning of a rumor or otherwise becoming aware of alleged harassment in the workplace) is obligated to report it to the HR director immediately.
5. Each complaint shall be treated confidentially and be fully investigated internally, with both the alleged victim and the alleged sexual harasser participating in the investigation. Any actions taken on the complaint shall be documented. A determination of the facts and the appropriate response will be made on a case-by-case basis.

If it is determined that harassment has occurred, the parish shall take appropriate corrective disciplinary action, which may include, but is not limited to, verbal and /or written warnings, probation, suspension, demotion, and/or termination.

If the investigation does not find that harassment occurred or that the alleged incidents(s) did not constitute harassment, the matter shall be referred back to the department head or Human Resources director for further appropriate action.

Employees shall be apprised of all applicable federal and state laws on sexual harassment, including their rights under such laws. This includes the right of any complainant to pursue a claim under state or federal law, regardless of the outcome of any internal investigation.

#### **2.4.2 RETALIATION**

No employee shall be subject to any form of retaliation or discipline for pursuing a harassment complaint, and no witnesses shall suffer retaliation as a result of their involvement in the investigation. The Parish will take disciplinary action against those found to have violated this policy.

#### **2.4.3 FALSE ACCUSATIONS**

Employees who are found to have intentionally made false accusations may be subject to appropriate disciplinary action including termination.



#### **2.4.4 TRAINING REQUIREMENT**

In accordance with state law, all Parish employees and elected officials, as public servants, are required to complete a minimum of one (1) hour of training each calendar year on the prevention of sexual harassment in the workplace, with an additional hour required for supervisors, pursuant to RS 42:343. The Parish shall ensure compliance with this requirement, provide access to approved training material, and maintain documentation verifying each employee's completion of the training. Failure to comply with this mandatory training requirement may result in disciplinary action.

#### **2.4.5 ANNUAL REPORTING REQUIREMENT**

Under RS 42:344, the Parish will compile an annual report by February 1 of each year, covering the previous calendar year, regarding compliance with sexual harassment prevention requirements. The report shall include, at a minimum:

- The number and percentage of public servants who have completed the required training;
- The number of sexual harassment complaints received;
- The number of complaints in which a finding was made that sexual harassment occurred;
- The number of complaints in which a finding of sexual harassment resulted in disciplinary or corrective action; and
- The amount of time required to resolve each complaint.

These annual reports shall constitute public records and shall be made available to the public in accordance with the Louisiana Public Records Law.