



SEXUAL HARASSMENT IN THE WORKPLACE POLICY

July 1, 2019

STATEMENT OF POLICY

Employees of the Jefferson Davis Parish Police Jury have an expectation and right to be treated with respect and dignity, and to work in a professional environment free of sexual harassment. To accomplish this, JDPPJ prohibits and will not tolerate sexual harassment or any behavior of a sexual nature that intimidates, exploits, insults, demeans, disrespects, or embarrasses any JDPPJ employee.

Prevention and elimination of sexually inappropriate behavior requires the personal involvement and commitment of every JDPPJ employee. Through this policy and related training requirements, JDPPJ encourages employees who experience, observe or are informed of such behavior to promptly initiate the reporting process set forth in this policy. Employees may be assured that JDPPJ will objectively and thoroughly investigate reports; implement preventive measures to protect against recurrence; impose corrective action to address substantiated violations; and protect complainants and employees involved in the investigative process from any form of harassment, reprisal, or retaliation.

This policy establishes a procedure to administratively report and address complaints of sexually inappropriate behavior. It is not in any way intended to replace or supersede the statutory or regulatory rights regarding sexual harassment available to employees under federal and state laws.

APPLICABILITY

- a. This policy applies to all JDPPJ employees regardless of position, status, or authority. This includes full-time, part-time, seasonal, and temporary employees. The prohibitions of this policy are equally applicable to appointing authorities, executive management, administrators, directors, managers, supervisors, and staff.
- b. This policy applies not only to the customary workplace and work locations where JDPPJ employees may be assigned, but also prohibits such behavior while traveling to a work location, at conferences, workshops, trainings, business trips, and business-related social events. Additionally, the behavior prohibited by this policy applies to off-duty, off-premises behavior that impacts the workplace.
- c. Third-party sexual harassment- Sexual harassment complaints against non-JDPPJ employees will be referred to the appropriate authorities and/or handled as JDPPJ management deems appropriate.

POSTINGS

This policy is available in the office of the Jefferson Davis Parish Police Jury located at 304 N. State Street, Jennings LA 70546.

EMPLOYEE RELATIONS DESIGNEE

Sexual harassment complaints will be handled within the office of the Secretary Treasurer by the Secretary Treasurer or designee located at 304 N. State Street, Jennings LA 70546. The Secretary Treasurer or designee is available to discuss the content of this policy, answer questions related to the report process, receive complaints, and coordinate the investigative process.



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TRAINING

To support this policy, JDPPJ requires all employees to successfully complete training on this policy upon hiring and on a continuing basis thereafter. At a minimum, JDPPJ mandates the following training for its employees:

- a. Upon hiring, all new employees will be provided a copy of this policy and instructed to carefully review it. In addition, all current employees are required to review this policy.
- b. Within ninety (90) days of the hiring date, all new employees are required to complete the one hour Preventing Sexual Harassment 2019 program.
- c. All employees, on an annual basis thereafter, are required to complete the one hour Preventing Sexual Harassment 2019 program. Certification of successful completion will be documented.
- d. Persons designated by the agency to accept or investigate a sexual harassment complaint are required to complete approved additional education and training on sexual harassment for supervisors on an annual basis. Certification of successful completion will be documented.

PROHIBITED CONDUCT

- a. Unwelcome sexual advances, requests, for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature constitute sexual harassment when the conduct explicitly or implicitly affects an employee's employment, unreasonably interferes with an employee's work performance or creates an intimidating, hostile, offensive work environment. Sexual harassment shall not be tolerated.
- b. Prohibited conduct relative to sexual harassment includes but is not limited to the following:
 - a. Unwelcome physical contact, including touching on any part of the body, kissing, hugging or standing close enough to make another person uncomfortable;
 - b. Requests for sexual favors either directly or indirectly (for example, requiring a subordinate employee to go out to lunch or to have a drink may be perceived as a request for sexual favors under some circumstances, especially if the conduct has no business purpose);
 - c. Requiring sexual favors as a condition of employment, obtaining a raise, obtaining new duties, a better office or any type of advancement in the workplace;
 - d. Threatening dismissal or unfairly evaluating performance in retaliation for rejection of sexual advances;
 - e. Sexual flirtations, advances or propositions;
 - f. Graphic comments about an individual's body;
 - g. Sexually degrading words to describe an individual;
 - h. The display in the workplace of sexually suggestive objects, pictures, or writings; or,
 - i. Other harassment that could rise to the level of sexual harassment.



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REPORT PROCEDURE

- a. An employee experiencing unwelcome behavior may choose to tell the offender to cease the behavior. Doing so may be sufficient to prevent recurrence. JDPPJ does not require employees to do so, and certainly does not require that his be done before using the reporting procedure provided in this policy. However, if the behavior continues, the concern should be reported promptly.
- b. In order that complaints may be investigated timely and effectively, employees are strongly encouraged to report sexual harassment as soon as possible. JDPPJ does not impose a deadline for reporting sexual harassment, but immediate reporting is ideal.
- c. The initial report need only convey the occurrence of words or actions that are offensive and need not provide details. This report can be verbal (in person or via telephone) or in writing (letter, memo, email, text). JDPPJ does not require that the employee use a specific form or adhere to a rigid reporting protocol.
- d. The report may be made to the employee's direct supervisor. However, regardless of reason, if the employee prefers to not involve his or her supervisor, the report may be made to any supervisor or manager in JDPPJ, or directly to the Secretary Treasurer or designee. Supervisory personnel receiving a report of sexually inappropriate behavior are required to immediately inform the Secretary Treasurer or designee of the information provided. Non-supervisory personnel receiving a report of sexually inappropriate behavior (such as from a co-worker) are strongly encouraged to report the behavior to any supervisor or to the Secretary Treasurer or designee.
- e. Anonymous complaints are discouraged; however, if an anonymous complaint is submitted, it should contain as much detail as possible including the names of the accused and all witnesses, the locations, dates, times, and description of all behaviors experienced, and any previous reports of similar behavior to management. Without this level of detail, the ability to conduct a thorough investigation may be impeded.

INVESTIGATION OF COMPLAINTS

- a. Secretary Treasurer or designee- All reports and complaints of sexually inappropriate behavior will be directed to the Secretary Treasurer or designee who shall assess the information provided. The investigation will be conducted expeditiously, professionally, and with due regard for the rights of all involved. To the extent allowed by law, the investigation will be conducted in a confidential manner. To preserve the integrity of the investigative process, employees will be instructed that the complaint and all information provided during the interview are to remain confidential. Employees are prohibited from obstructing or interfering with the investigation, which includes questioning or confronting any employee participating in the investigation.
- b. Preliminary assessment – The Secretary or designee, in consultation with Legal Counsel, shall conduct a preliminary assessment of the information provided to determine whether action should be taken to prevent further occurrence of the offensive behavior. For example, it may be appropriate to authorize leave or temporarily reassign personnel. The appropriate appointing authority will be apprised of the general nature of the complaint and any preliminary action to be taken with the utmost confidentiality.



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- c. Interviews – The investigation may begin with an interview of the complainant who will be required to provide details to facilitate the investigative process, such as the behavior complained of, the date, time, and location of the occurrence, the identity of witnesses, and any writing, records, logs, recordings, pictures, or other documentation supporting the complaint. Other employees possessing relevant information may also be interviewed.
- d. Participant responsibilities – All employees called upon to participate in the investigation are required to fully cooperate and provide truthful responses. Employees do not have the option of remaining silent or declining to get involved. Those questioned may be required to prepare a written statement or provide a recorded statement. Employees are hereby informed that polygraph examinations may be employed as an investigative tool.
- e. Report and recommendations – Upon completion of the investigation, the Secretary Treasurer or designee, in consultation with Legal Counsel, will report whether the complaint of sexual harassment is substantiated or unsubstantiated to the appropriate authority and provide recommendations for resolution.
- f. Management decision – Complainants may be assured that any employee found, after investigation, to have engaged in sexual harassment or other inappropriate behavior of a sexual nature will be subject to corrective action. Corrective actions may include counseling, reprimand, suspension, reduction in pay, demotion, or dismissal. If dismissal is recommended, the matter must be referred to JDPPJ Police Jury before final action is taken.
- g. In conjunction with such corrective actions, other appropriate measures, including additional training, relocation, reassignment, job restructuring, etc., may also be utilized to protect against the recurrence of the inappropriate behavior.
- h. Unsubstantiated good faith complaints – Employees must understand that despite the best efforts and thoroughness of the investigative process, not all complaints can be substantiated. This does not indicate, however, that the complaint was contrived or made in bad faith. As such, employees are encouraged to file good faith complaints without regard for the ultimate outcome.

COMPLAINT RESOLUTION

Upon conclusion of the investigation, the complainant and accused will be apprised of whether the complaint was substantiated or unsubstantiated. Management's decision is final and concludes JDPPJ internal administrative investigative process. Regardless of the outcome, the complainant has the option of pursuing a claim under state or federal law. Initiation of such a claim is not dependent upon the outcome nor completion of JDPPJ's administrative investigation.

To initiate a claim under federal or state law, employees are referred to the Equal Employment Opportunity Commission and the Louisiana Commission on Human Rights:

EEOC District Office
Hale Boggs Federal Building
500 Poydras Street, Suite 809
New Orleans LA 70130
800-669-4000 VOICE
<https://www.eeoc.gov/>

LCHR
1001 N. 23rd St, Suite 268
PO Box 94094
Baton Rouge LA 70804
225-342-6969 VOICE
<http://gov/page/lchr>



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RETALIATION STRICTLY PROHIBITED

JDPPJ maintains an affirmative duty to protect its employees from harassment, reprisal, or retaliation. This protection extends to any employee making a good faith complaint of sexually inappropriate behavior, as well as those employees providing information or participating in the investigative process. Employees can be assured that if a complaint is made and an investigation reveals that harassment, retaliation, or reprisal has occurred, disciplinary action may be imposed on the offender, up to and including dismissal.

RESPONSIBILITY

It is the responsibility of all employees to ensure compliance with this policy. Complaints must be truthful and made in good faith. Cooperative participation and candor in the investigative process are mandatory.

VIOLATIONS

The JDPPJ will aggressively address violations of this policy. After investigation and satisfaction of due process requirements, corrective action, including disciplinary action up to and including termination, may be imposed for the following actions, including but not limited to:

- Failure to comply with mandatory training requirements
- Failure by a supervisor or manager to timely transmit a reported complaint of sexually inappropriate behavior
- Failure to participate or cooperate in the investigative process
- Providing false or withholding information during questioning
- Filing a false, malicious, or frivolous complaint
- Harassment, reprisal, or retaliation towards a complainant or anyone involved in the investigative process

EXCEPTIONS

Exceptions or deviations from the provisions of this policy require the express approval of the Jefferson Davis Parish Police Jury.

QUESTIONS

Questions, comments, or concerns regarding this policy should be addressed to JDPPJ Secretary or designee.