

# SEXUAL HARASSMENT POLICY

## SECTION 1: STATEMENT OF POLICY

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, sex, age, or national origin. Sexual harassment is included among the prohibitions.

Sexual harassment, according to the Federal Equal Employment Opportunity Commission (EEOC), consists of unwelcome sexual advances, request for sexual favors or other verbal or physical acts of a sexual or sex based nature where (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based on an individual's acceptance or rejection of such conduct; or (3) such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

It is also unlawful to retaliate or take reprisal in any way against anyone who has articulated any concern about sexual harassment or discrimination, whether that concern relates to harassment of or discrimination against the individual raising the concern or against another individual. Examples of conduct that would be considered sexual harassment or related retaliation are set forth in the Statement of Prohibited Conduct which follows. These examples are provided to illustrate the kind of conduct proscribed by this policy; this list is not exhaustive.

Sexual harassment is unlawful. The Sheriff's Department of Sabine Parish is committed to vigorously enforcing its Sexual Harassment Policy at all levels.

## SECTION 2: STATEMENT OF PROHIBITED CONDUCT

The Sheriff's Department considers the following conduct to represent some of the types of acts which violate the sexual harassment policy:

1. Physical assaults of a sexual nature, such as:
  - A. Rape, sexual battery, molestation or attempts to commit these assaults; and
  - B. Intentional physical contact which is sexual in nature, such as grabbing another employee's body.
2. Unwanted sexual advances, propositions, or other sexual comments such as:
  - A. Sexually oriented remarks or jokes about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated that such conduct in his or her presence is unwelcome.

- B. Preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
  - C. Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.
3. Sexual or discriminatory displays of publications in the workplace, such as
- A. Displaying pictures, posters, calendars, or other materials that are sexually suggestive or pornographic.
  - B. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace, other than rest rooms and similar semi-private lockers or changing rooms.
4. Retaliation for sexual harassment complaints, such as disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work related matters with any employee because that employee has complained and/or testified about, or resisted harassment, discrimination, or retaliation.

### SECTION 3: PENALTIES FOR MISCONDUCT

Any employee's commission of acts of sexual harassment or retaliation against a sexual harassment complainant or witness will result in appropriate sanctions, up to and including dismissal, against the offending employee, depending upon the nature and severity of the misconduct.

A written record of each action taken pursuant to this policy will be placed in the offending employee's personnel file. The record will reflect the conduct, or alleged conduct, and the warning given, or other discipline imposed.

### SECTION 4: PROCEDURES FOR MAKING, INVESTIGATING AND RESOLVING SEXUAL HARASSMENT AND RETALIATION COMPLAINTS

1. Complaints: Complaints of acts of sexual harassment and retaliation that are in violation of the sexual harassment policy will be accepted in writing or orally, and anonymous complaints will be taken seriously and investigated. A complaint need not be limited to someone who was the target of harassment or retaliation. Anyone who suffered or has observed sexual harassment or retaliation should report it to their immediate supervisor. If it would be inappropriate to report such concerns to one's immediate supervisors, the report may be made to the Sheriff directly. If a female employee would prefer to report a

concern about sexual discrimination or harassment to another female, such concerns may be reported to any female supervisory officer of the Sheriff's Department. While employees are encouraged to report to their immediate supervisor or the individuals noted above, employees who desire to report complaints to another supervisory officer of the Sheriff's Department staff may do so.

Only those who have an immediate need to know, including the person to whom a report was made, the alleged target of harassment or retaliation, the alleged harasser or retaliator and any witness may obtain the identity of the complainant. All parties contacted in the course of an investigation will be advised that all parties involved in a charge are entitled to respect and that any retaliation or reprisal against an individual who is an alleged target of harassment or retaliation, who has made a complaint or who has provided evidence in connection with a complaint, is a separate actionable offense and subject to discipline under this policy.

2. Cooperation: An effective sexual harassment policy requires the support and example of personnel in positions of authority. The Sheriff's Department agents or employees who engage in sexual harassment or retaliation or who fail to cooperate with the Sheriff's Department sponsored investigations of sexual harassment or retaliation may be sanctioned by suspension or dismissal. By the same token, officials who refuse to implement remedial measures, obstruct the remedial efforts of other Sheriff's Department employees, and/or retaliate against sexual harassment complainants or witnesses may be sanctioned by suspension or dismissal.

## SECTION 5: ANNUAL TRAINING AND REPORTING (3/16/23)

1. Each employee shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his employment or term of office, as the case may be. Supervisors and any persons designated to accept or investigate a complaint of sexual harassment shall receive additional education and training. The education and training may be received either in person or via the internet through training and education materials as will be communicated by either the Sheriff or Chief Civil Deputy.
2. An annual report will be compiled by February first of each year containing information from the previous calendar year regarding compliance, including:
  - The number and percentage of employees who have completed the training requirements.
  - The number of sexual harassment complaints received.
  - The number of complaints which resulted in a finding that sexual harassment occurred;

- The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
- The amount of time it took to resolve each complaint.

These reports shall be public record and available to the public in the manner provided by the Public Records Law.