

	<b>P - §3</b>	<b>Policy Name:</b> <u>Anti-Discrimination and Harassment</u>	<b>Approved Date:</b>
	<b>Prepared By:</b> Human Resources		<b>Adopted Date:</b>
	<b>Amended Date:</b>		

## **A. PURPOSE**

The County is committed to providing a productive workplace free from harassment, discrimination, bullying, and retaliation. We strive to ensure that all employees, contractors, vendors, and visitors are treated with dignity and respect. This policy is intended to prevent unlawful behavior and to promote a safe, inclusive, and equitable work environment. The County is committed to complying with the Civil Rights Act of 1964, as amended; the Rehabilitation Act; the Equal Pay Act of 1963; the Americans with Disabilities Act of 1990 (“ADA”), as amended; the Age Discrimination in Employment Act of 1967 (“ADEA”); the Genetic Information Nondiscrimination Act of 2008 (“GINA”); and other relevant Federal and state laws.

## **B. SCOPE**

This policy applies to all employees of the County, including full-time, part-time, temporary, contract workers, interns, position candidates, and anyone conducting business on behalf of the organization. This policy applies to all terms and conditions of employment and covers behavior in the workplace, at work-related events, and in all work-related interactions, whether in person, via phone, email, or other digital communication.

## **C. DEFINITIONS**

**Bullying** - Seeking to harm, intimidate, or coerce someone in a perceived subordinate or vulnerable position.

**Discrimination** - Unfair or unequal treatment based on a person’s protected characteristics.

**Harassment** - Unwelcome conduct based on a person’s protected characteristics.

**Hostile Work Environment** - The resulting environment created from instances of bullying, discrimination, or harassment. A hostile work environment is created

when unwelcome conduct creates an intimidating, offensive, or abusive atmosphere that affects an employee's ability to do their job.

**Quid Pro Quo Harassment** - Explicit or implicit requests for sexual favors in exchange for job benefits.

**Retaliation** - Adverse action against an employee for making a good-faith report of real or suspected policy violations.

## **D. ROLES AND RESPONSIBILITIES**

**Employees** – Engage in and promote workplace behaviors that create and maintain an environment of respect and promote effective teamwork; timely complete required anti-discrimination and harassment training; report suspected violations of this policy to supervisors and/or to Human Resources.

**Supervisors** - Lead by example in demonstrating appropriate behavior; take complaints concerning violations of this policy seriously; ensure all employees complete required anti-discrimination and harassment training; ensure confidentiality is maintained to the extent possible; report all allegations or observations of harassment or discrimination to Human Resources promptly; assist Human Resources with investigations when requested.

**Human Resources** - Policy development, administration, and interpretation; facilitate required training programs for employees and supervisors; document and investigate all complaints, to include determination and recommending corrective action, when appropriate, based upon investigative findings.

## **E. POLICY**

### **1. Prohibited Conduct**

#### **a. Harassment**

Harassment is unwelcome conduct based on race, color, religion, sex (including pregnancy, gender identity, or sexual orientation), national origin, age, disability, genetic information, or any other protected status. Harassing behavior can lead to a hostile work environment. Examples include, but are not limited to:

- i. Verbal abuse or derogatory comments;
- ii. Offensive jokes or slurs;
- iii. Unwanted physical contact; and/or
- iv. Display or circulation of offensive materials (e.g., memes, images, emails).

b. Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature. It can involve, but is not limited to:

- i. Quid Pro Quo harassment;
- ii. Unwanted touching, comments, or gestures; and/or
- iii. Sexual jokes, innuendos, or suggestive emails/messages.

c. Discrimination

Discrimination is unfair or unequal treatment based on a person's protected characteristics. This includes, but is not limited to, decisions related to hiring, firing, compensation, promotion, training, or other terms of employment that are influenced by bias or prejudice.

d. Bullying

Bullying is intimidating or undermining employees in a way that threatens their self-esteem and reputation. Examples may include, but are not limited to:

- i. Isolating employees from information and interaction with others;
- ii. Frequently berating someone;
- iii. Gaslighting; and/or
- iv. Excluding someone from team social events.

e. Retaliation

Retaliation occurs when an employee suffers an adverse action because they have made a good faith report of real or suspected discrimination, harassment, or bullying.

## **2. Reporting**

a. Employees who experience or witness harassment, discrimination, and/or bullying are encouraged to:

- Speak up – If you feel safe doing so, let the offending individual know that their behavior is unwelcome.
- Report the incident – Contact your supervisor and/or the Human Resources Department. If you are being harassed, discriminated against, or bullied by your direct supervisor, contact your second-level supervisor, another trusted manager in your department, or Human Resources.
- Document the behavior – Keep a written record of the incident(s), including dates, times, locations, witnesses, and any communications.

- Employees who make a good faith report of harassment, discrimination, and/or bullying will not be disciplined for making that report.
- b. Supervisors are required to notify Human Resources if they witness instances of harassment, discrimination, or bullying, or have such instances reported to them. Supervisors who fail to notify Human Resources as required by this policy may be subject to discipline, up to and including termination of employment. Supervisors are not authorized to initiate investigations without consultation with Human Resources. However, if requested by Human Resources, supervisors shall provide information or other assistance to HR to aid in the investigation.
- c. All complaints will be taken seriously and investigated promptly, thoroughly, and impartially. Confidentiality will be maintained throughout the investigation process, to the fullest extent possible.
- d. Complainants may request to withdraw their complaint at any time. However, the final decision to approve the withdrawal request and close the case shall rest with the Director of Human Resources or their designee.

### **3. Retaliation**

Retaliation against individuals who report harassment, discrimination, or bullying, or participate in investigations under this policy is strictly prohibited. Any employee who engages in retaliatory conduct shall be subject to discipline, up to and including termination of employment.

### **4. Accountability**

All allegations of violations of this policy will be investigated and employees found to be in violation will be subject to corrective action and/or disciplinary action, up to and including termination of employment in accordance with personnel policy P-32 Employee Discipline. Discrimination, harassment, and retaliation in any form constitutes misconduct that undermines the integrity of the working relationship. It is the policy of the County to treat all employees with respect and to ensure that the workplace is free of inappropriate and illegal discrimination and harassment.

### **5. Training and Awareness**

The County will provide training and education annually to employees and managers on preventing harassment and discrimination, fostering a respectful workplace, and understanding rights and responsibilities under this policy.