



WARREN COUNTY

PLAN AND PROGRAM

ON

WORKPLACE HARASSMENT

Adopted by Resolution #484 of 2014

WARREN COUNTY PLAN AND PROGRAM ON WORKPLACE HARASSMENT

I. Program Statement:

Warren County reaffirms its policy to provide equal opportunity in employment and a safe work environment through its commitment to ensure an environment for all employees which is fair, humane and respectful. In furtherance of this policy, Warren County hereby states that workplace harassment is unacceptable and adopts this Workplace Harassment Policy with which all County officers, employees and volunteers must comply.

II. Definitions:

“Workplace harassment” includes harassment, sexual harassment, discrimination, intimidation and bullying, whether verbal or physical, occurring on County property or occurring during the performance of County duties or operations.

“Harassment” is defined as including, but not limited to:

- Slurs, inappropriate jokes, derogatory remarks, or any physical aggression related to another person’s race, age, disability, religion, national origin, gender, or sexual preferences;
- Threatening, intimidating, coercing, using abusive or vulgar language, or interfering with the performance of other employees; or
- Any other conduct which creates a hostile or offensive work environment.

“Discrimination” means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identify and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic.

“Intimidation or bullying” is repeated, health-harming mistreatment of one or more persons by one or more perpetrators that takes one or more of the following forms:

- Exploitation of a known psychological or physical vulnerability.
- Direct or indirect verbal comments, actions, behaviors or tactics such as verbal abuse or psychological manipulations that are used to harm an individual or to attempt to harm an individual including but not limited to, attempts to destroy or harm a person’s self-esteem or confidence; constant and repeated negative remarks, criticism or sarcasm; isolating or systematically isolating the individual; spreading false information or rumors; tasks that are ambiguous, contradictory or that are deprived of purpose; false insinuations, attacks to the individual’s dignity, integrity or self-image; attempts to humiliate or public humiliation.

“Sexual harassment” is specifically defined as unwelcome verbal or physical sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in which (1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual’s employment; (2) submission to or rejection of such

conduct by and individual is used as the basis for employment or promotion; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or creating an intimidating, hostile or offensive working environment.

As an unsolicited, offensive behavior that inappropriately asserts sexuality over status as an employee, sexual harassment often engenders a feeling of powerlessness and can threaten a person's economic livelihood.

Examples of sexual harassment include:

Verbal

- Sexual innuendos and comments or remarks about clothing, body or sexual activities
- Suggestive or insulting sounds
- Sexual propositions, invitations, or other pressure for sex
- Implied or overt threats

Physical

- Unnecessary touching
- Brushing the body
- Coerced sexual relations
- Assault

Non-Verbal

- Leering/prolonged staring
- Obscene gestures

III. Workplace Harassment Prohibited:

Workplace Harassment as defined above and occurring on County property, or occurring during the performance of County duties or operations, that substantially disrupt or interfere with the orderly operation of the County or the rights of other employees, visitors, volunteers, clients, or community members, and that all department heads and department supervisors are expected to adhere to this policy and enforce any prohibitions against unlawful workplace harassment. Any department head or department supervisor who becomes aware of a violation of this policy is required to investigate the complaint as provided for in V herein.

Department heads will provide all employees within their department with a copy of this policy. Employees are required to attend and participate in any training provided by the County. Employees are responsible for reporting any violations of the policy to their department supervisor, department head, or to the Warren County Human Resources Director.

IV: Process for Reporting Harassment Complaints:

Employees that believe that they have been subjected to workplace harassment should report it to their immediate supervisor. If the employee's immediate supervisor is the person who is the cause of the complaint, the employee should speak to their department head or to the Warren County Human Resources Director. Complaints may be made verbally, however it is recommended that the employee submit a statement in writing.

V: Investigation of Complaints:

Allegations of workplace harassment are treated seriously by the County and will be promptly investigated. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

Department supervisors, department heads or the Warren County Human Resources Director will be responsible for initiating an investigation as soon as possible from receipt of the complaint but not longer than 5 business days after receipt. Whenever possible, investigation and an attempt to resolve the problem area will begin as soon as possible.

In the event that they are asked, employees and management are expected to cooperate fully with any ongoing investigation. Where possible, investigations will be conducted by the department head. The Warren County Human Resources Director may also be involved in the investigation to provide assistance and support.

If the complaint is not resolved, or an employee wishes to appeal a decision made by the department supervisor, department head or Warren County Human Resources Director the complaint will be referred to the Warren County Administrator's Office. The Warren County Administrator's Office reserves the right to refer the complaint to the Personnel Committee of the Warren County Board of Supervisors at their next regularly scheduled meeting for discussion or resolution.

In the event that a complaint is referred to the Personnel Committee of the Warren County Board of Supervisors, employees will be notified within seven (7) days of the final decision and if the employee is still dissatisfied, the complaint will be presented to a mutually agreed upon representative, who will review the employees concerns and respond within thirty (30) days.

All questions regarding this policy should be directed to the Human Resources Director at the Warren County Department of Human Resources and Civil Service Administration.

CHARGE OF WORKPLACE HARASSMENT

This form is to be used to file a charge of inappropriate conduct based on workplace harassment.

Please print or type:

Your name: _____ Phone: _____

Current position and department: _____

Home address: _____

City: _____ State: _____ Zip: _____

a. Have you filed this charge with a federal or state government agency? Yes No

If yes, when: _____
Month Day Year

b. Have you instituted a suit or court action on this charge? Yes No

If yes, when: _____
Month Day Year

Harassment took place on or about: _____
Month Day Year

Check here if workplace harassment is continuing:

Describe briefly the act which occurred and your reason for concluding that it was workplace harassment (use extra sheets if necessary):

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Signature _____ Date _____

Warren County Board of Supervisors

RESOLUTION NO. 484 OF 2014

Resolution introduced by Supervisors Taylor, McDevitt, Frasier, Vanselow, Wood, Brock and Seeber

APPROVING REVISIONS AND AMENDMENTS TO THE WARREN COUNTY EMERGENCY ACTION AND RESPONSE PLAN, HUMAN SERVICES EMERGENCY ACTION PLAN, PLAN AND PROGRAM ON WORKPLACE HARASSMENT, SAFETY AND HEALTH PROGRAM POLICY, AND INCIDENT MANAGEMENT GUIDELINES

WHEREAS, the Self-Insurance Administrator periodically reviews and updates the various Warren County safety and risk management policies, and

WHEREAS, the Warren County Support Services Committee recommends the revisions and amendments proposed by the Self-Insurance Administrator to the various safety and risk policies as outlined below, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approve the revisions and amendments made by the Warren County Self-Insurance Administrator to the various safety policies as summarized below:

Warren County Emergency Action and Response Plan:

Changes are housekeeping in nature (i.e. changed individual names to titles) and appropriate language has been added in reference to the National Incident Management System. Various forms are kept in appendices so that they can be revised without revising the entire policy.

Human Services Emergency Action Plan:

Changes are housekeeping in nature (i.e. changed individual names to titles) and appropriate language has been added in reference to the National Incident Management System.

Plan and Program on Workplace Harassment:

Changes the reference from "Personnel" to "Human Services".

Safety and Health Program Policy:

Policy now combines prior Resolution Nos. 557 of 2009 and 279 of 2009 that set the format of the safety committees and more accurately reflects the functions of the safety committees. The proposed policy also includes a Hazard Identification checklist that will be used to inspect facilities for hazards.

Incident Management Guidelines:

Changes have been made to more clearly identify the forms that must be prepared when an incident occurs. The forms are mandatory appendices for easy reference and revision as needed, and be it further

RESOLVED, that the changes are hereby approved as made to each of the above stated policies, and copies of each shall be maintained on file with the Clerk of the Warren County Board of Supervisors.