

Warren County Board of Supervisors

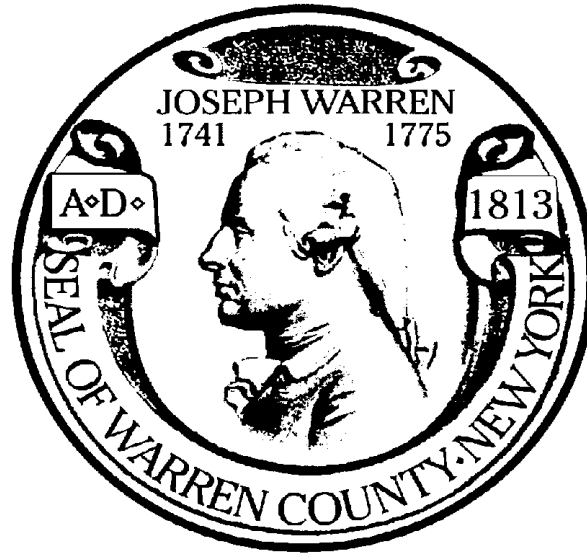
RESOLUTION NO. 304 OF 2013

Resolution introduced by Supervisors Taylor, Strainer, Loeb, McDevitt, Frasier, Mason and Vanselow

APPROVING THE WARREN COUNTY PLAN AND PROGRAM ON WORKPLACE HARASSMENT

WHEREAS, a Plan and Program on Workplace Harassment for Warren County has been developed which Plan and Program includes the definition of workplace harassment, the prohibition of workplace harassment, and a process for reporting and investigation of workplace harassment complaints, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the Warren County Plan and Program on Workplace Harassment and attached hereto as Schedule "A", to be effective May 17, 2013.



WARREN COUNTY
PLAN AND PROGRAM
ON
WORKPLACE HARASSMENT

Adopted by Resolution # 304 of 2013

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 Personnel Officer.

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 Personnel Officer. 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 Personnel Officer 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 Personnel Officer 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 Personnel Officer 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 Personnel Officer at the Warren County Civil Service Office.

Appendix A
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