Anti-Harassment & Sexual Harassment Policy & Complaint Procedure

The STPDD is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the STPDD expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment. Improper interference with the ability of STPDD employees to perform their expected job duties is absolutely not tolerated.
The STPDD encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the STPDD to investigate such reports promptly and thoroughly. The STPDD prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment
Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected category is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other category protected by law or that of his/her relatives, friends or associates, and that

a) has the purpose or effect of creating an intimidating, hostile or offensive work environment;
b) has the purpose or effect of unreasonably interfering with an individual's work performance; or
c) otherwise adversely affects an individual's employment opportunities

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on STPDD time or using STPDD equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Federal and state law on sexual harassment, including the right of the complainant to pursue a claim under state or federal law, regardless of the outcome of the investigation is applicable. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

R.S. 42:341-344, or "Prevention of Sexual Harassment," became effective January 1, 2019. The provisions of this law impacts all public officers and employees, departments, offices, divisions, agencies, commissions, boards, committees, and other organizational units of the State of Louisiana or political subdivisions.

The President & CEO or Manager of Administration shall ensure that each public servant in the agency is notified of the agency's policy against sexual harassment and the mandatory training requirement on preventing sexual harassment. The President & CEO or Manager of Administration shall be responsible for maintaining records of the compliance of each public servant in the agency with the mandatory training requirement. Each public servant's record of compliance shall be a public record and available to the public in accordance with the Public Records Law.

Mandatory Training Requirements – R.S. 42:343: Preventing Sexual Harassment
Each employee and public servant of STPDD shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of their public employment or term of office, as the case may be.

The President & CEO, supervisors and/or any persons designated by the agency to accept or investigate a complaint of sexual harassment in the agency are required to receive one additional hour of education and training. The education and training may be received either in person or via the internet through training and education materials approved by the President & CEO. The training request form on the State Civil Service website at:
https://www.civilservice.louisiana.gov/Divisions/Training/PreventingSexualHarassment.aspx

Mandatory Reporting– R.S. 42:344: Annual Sexual Harassment Reporting due February 1
The President & CEO or Manager of Administration shall compile an annual report by February 1 each year containing information from the previous calendar year regarding STPDD's compliance, including:

- The number and percentage of public servants in his agency who have completed the training requirements
- The number of sexual harassment complaints received by his agency
- 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
- 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.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the STPDD (e.g., an outside vendor, consultant, or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with the Manager of Administration or President & CEO. Should the employee believe the harassment is by the President & CEO or Manager of Administration, employee may contact the Chairperson of the Board of Commissioners.

When possible, the STPDD encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The STPDD recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

The STPDD encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. The complaint form *(below)* may be used to report allegations of harassment, discrimination, or retaliation.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation will require individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have another relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.
False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

PUBLIC SERVANT HARASSMENT COMPLAINT FORM-NEXT PAGE

Public Servant Harassment Complaint Form

Name: _____ Incident Date: _____

List names of person(s) identified as part of or causing the conflict/workplace problem.

_____

_____

Describe the problem or issue. Include steps you have taken to solve the problem informally. Include your desired outcome or resolution of the complaint. (Attach additional pages if needed.)

_____

_____

_____

_____

List the names of other people with information about the complaint or who have worked with you to try and resolve the issue.

_____

Signature: _____Submittal Date: _____

Please submit completed form to
Chief Executive Officer or Director of Administration

Section below to be completed by management

Complaint Received: Date _____ Initials _____

Written notice sent to relevant parties within 5 working days of receipt:

Date _____ Initials _____

Complaint Assigned to: Name _____ Date _____ Initials _____

Written notice of findings sent to relevant parties within 20 working days of receipt:
Date _____ Initials _____ Extension (10 working days)? ____ Y ____ N

Results/resolution review 6 weeks after closure of the complaint: Date _____ Initials _____

Results/resolution review 6 months after closure of the complaint: Date _____ Initials _____