

## CONSOLIDATED WATERWORKS DISTRICT NO. 1

### WORKPLACE HARASSMENT POLICY

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws. Harassment based on a characteristic protected by law, such as race, color, ancestry, national origin, gender, sex, sexual orientation, gender identity, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law, is prohibited, and will not be tolerated.

It is The DISTRICT's policy to provide a work environment free of sexual and other harassment. To that end, harassment of The DISTRICT's employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. The DISTRICT will take all steps necessary to prevent and eliminate unlawful harassment.

#### 1. Definitions:

- a. **Unlawful Harassment.** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, physical appearance or other characteristic protected by state or federal law.

- b. **Sexual Harassment** - may include a range of subtle to not-so-subtle behaviors and may involve individuals of the same or different gender. The harasser can be a supervisor, co-worker, or a non-employee who has a business relationship with the DISTRICT. Sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:
  - Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; *or*
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.  
*or*
  - The behavior persists despite objection by the person to whom the conduct is directed.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

Unwelcome actions such as the following are inappropriate and depending on the circumstances, may in and of themselves meet the definition of sexual harassment or contribute to a hostile work environment (the following is a list of examples and is not all inclusive):

- Sexual pranks, or repeated sexual teasing, jokes, or innuendo.
- Touching or grabbing of a sexual nature.
- Talking about one's sexual activity in front of others.
- Repeatedly cornering, leaning in, or standing too close to or brushing up against a person.
- Repeatedly asking a person to socialize during off duty hours when the person has said no or has indicated he or she is not interested (supervisors in particular should be careful not to pressure their employees to socialize).
- Giving gifts or leaving objects that are sexually suggestive.
- Repeatedly making sexually suggestive gestures.
- Making or posting sexually demeaning or offensive pictures, cartoons, or other materials in the workplace.
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment.

**NOTE:** Sexual statements can be made in person, in writing, or electronically, such as email, instant messaging, text messaging, blogs, web pages, social media, etc.

Sexual harassment does not require the intent to offend -- Inappropriate conduct meant as a joke, prank, or even a compliment can lead or contribute to harassment.

## **2. Procedures**

If you feel that you have been subjected to sexual harassment or witnessed sexual harassment, you should do the following:

- Continue to report to work.
- Inform the person who has offended you that their actions are inappropriate and should be stopped if you feel secure in doing so.
- Document the occurrence(s) with specific facts, including names, dates, times, places, witnesses, etc.; and  
And
- Report the action to HUMAN RESOURCES.

## **3. Responsibilities**

### **a. THE DISTRICT**

- When an allegation of sexual harassment has been received, or there is reason to believe sexual harassment is occurring, immediate and appropriate steps will be taken to ensure that the matter is promptly investigated and addressed.
- The DISTRICT will thoroughly investigate any allegations of harassment and maintain confidentiality to the extent consistent with a thorough investigation. Any employee at any level found to have engaged in the harassment of another employee in violation of this policy will be subject to appropriate disciplinary action, up to and including termination.

- The DISTRICT will not condone or authorize any kind of retaliation against any employee who has made a good faith report of conduct which he or she believes may constitute harassment in the violation of this policy.
- Employees will be informed if changes are made to the policy.

#### **b. SUPERVISORS**

- Supervisors shall ensure that employees are aware that sexual harassment is strictly prohibited.
- Supervisors who observe incidents of sexual harassment MUST take immediate corrective action without waiting for a victim complaint.
- Supervisors who receive a complaint of sexual harassment MUST immediately report the complaint to HUMAN RESOURCES.
- Failure to report incidents will be considered a violation of this policy and may result in disciplinary action.

#### **c. EMPLOYEES**

- Any employee who knows or reasonably believes that sexual harassment is occurring or has occurred whether to the employee directly or to someone else, is obligated to inform HUMAN RESOURCES immediately.
- Employees are responsible for cooperating fully with any investigation of a complaint of sexual harassment. Information related to complaints and investigations will remain confidential to the fullest extent possible. Employees cooperating in an investigation shall maintain the confidentiality of the investigation to protect the reputations of all involved.

Charges of sexual harassment are serious charges, and employees should report incidents when they occur. However, due to the seriousness of these charges and the potential damage that could be done to those who are charged, employees shall refrain from making casual, misleading or false charges of such behavior. False and/or malicious complaints of sexual harassment may be subject to disciplinary action, up to and including termination.

### **4. Mandatory Training**

- All employees, including part-time employees and members of the Board of Commissioners are required to complete at least one (1) hour of harassment training per calendar year.
- New hires are required to complete at least one (1) hour of harassment training within 30 days of date of hire.
- Anyone who supervises employees or any employee who may receive or investigate a sexual harassment complaint is required to receive additional education and training each year no later than December 31st. The additional education and training may be received either in person or through an online course approved by HUMAN RESOURCES.
- Human Resources shall maintain records of compliance for each employee of the agency.
- Failure to complete the mandatory training requirements may result in disciplinary action, up to and including termination.

Sexual harassment violates the Equal Employment Opportunity Commission Guidelines, Section 703 of Title VII of the Civil Rights Act of 1964 as amended, the Louisiana Employment Discrimination Law, and La R.S. 42:341-345.

To initiate a claim under federal or state law, employees are referred to the Equal Employment Opportunity Commission and the Louisiana Commission on Human Rights:

[www.eeoc.gov](http://www.eeoc.gov)

<https://gov.louisiana.gov/page/lchr>

Effective May 1, 2023