

SEXUAL HARASSMENT POLICY

DR.03:08.1200.

1. Sexual harassment is defined as any unwelcome sexual advance, request for sexual favor or other verbal or physical conduct of a sexual nature, when:
 2. Submission to the conduct is either an explicit or implicit term or a condition of employment; or
 3. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the person who did the submitting or rejecting; or
 4. The conduct interferes with job performance or creates an intimidating, hostile or offensive working environment.
5. Sexual harassment does not refer to generally acceptable, pleasant, friendly or even mildly flirtatious interactions, as long as no reasonable person is offended.
6. The STPSO neither condones nor tolerates sexual harassment in the workplace, whether committed by supervisory or non-supervisory employees.
7. No one is permitted to imply or threaten that cooperation or refusal of sexual advances will have any effect on an individual's status, advancement, assignment, career development, education, shift assignment, compensation or any other condition of employment or appointment.
8. The responsibility for administering and complying with this policy has been delegated and communicated to all levels of management. Supervisors and other management employees will ensure that all employees are aware of the policy against sexual harassment and that adequate procedures are in place to facilitate prompt reporting, investigation and remedial action.
9. Any supervisor or management employee who observes any behavior that could be interpreted as sexual harassment is responsible for taking prompt action to stop the behavior.

SEXUAL HARASSMENT INVESTIGATION PROCEDURE

DR.03:08.1225.

1. Whenever an employee believes he/she is a victim of sexual harassment by another employee or a member of management, the following investigation procedure is to be followed:

A. An employee who believes that he/she is a victim of sexual harassment shall contact any supervisory employee to file a complaint. The employee shall submit the complaint in writing. Supervisors are required to immediately notify the Sheriff, his designee, Human Resource Director, or Internal Affairs, who will order a thorough investigation.

B. If the supervisor is the subject of a complaint in which employee believes that he/she is a victim, the Sheriff, his designee, Human Resource Director, or Internal Affairs will order a thorough investigation. If the Sheriff is the subject of the complaint, the employee who believes that he/she is a victim of sexual harassment will direct and file a complaint directly with Internal Affairs Division Supervisor. Internal Affairs Division will conduct the investigation.

C. When the supervisor or other appropriate individual, as identified in (a) and (b) above, is advised of alleged sexual harassment, either on the basis of a written or verbal report, a thorough investigation of the situation will be made in the following manner. The complaint will be documented either in writing or on audio-tape. The report will include a factual description of the incident(s).

D. The investigator will discuss with the complainant and such witnesses, as he deems necessary, the nature of the complaint. If the investigator finds that the complaint is credible and the incident may constitute sexual harassment, the alleged offender will be required to meet with the Sheriff or his designee, be advised of the complaint(s) and be given an opportunity to respond.

E. If, at the conclusion of that discussion the Sheriff or his designee, has reason to believe the reported acts did occur, the employee will be advised that such conduct is improper and in possible violation of federal and state law. The employee will be advised that he/she be subject to disciplinary action up to and including discharge.

F. If the Sheriff, or his designee, determines that the incident did not occur or does not constitute sexual harassment, no document indicating that a complaint was filed or that an investigation was undertaken will be placed in the personnel file of either the complainant or the accused employee.

2. Whenever an employee believes he/she is a victim of sexual harassment by a member of the public or a vendor, the incident may be reported in the following manner:

a. The employee will notify any supervisor in the vicinity of the incident.

b. The supervisor will intervene in a manner he/she determines to be appropriate to alleviate the immediate situation.

c. The employee will document the complaint and include a factual description of the incident.

d. The supervisor will document his/her action and submit it along with the employee's written complaint to the Appointing Authority.

e. The Sheriff, or his designee, will determine if additional action is required.

PROHIBITION OF SEXUAL HARASSMENT

DR.03:08.1250.

It is against the STPSO policy for any person to use his or her official authority in making sexual advances toward employees of any rank, including those over whom such person is authorized to:

- make or recommend personnel actions,
- to grant, recommend or refuse to take personnel action because of sexual favors, or
- to take or fail to take personnel action as a reprisal against any employee for rejecting or reporting sexual advances.

It is also against the STPSO policy for any manager or supervisor to allow any employee to be sexually harassed, either verbally or physically, by a co-worker. Specifically, no employee, including managers and supervisors, shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect an employee's job, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.

DEFINITION OF SEXUAL HARASSMENT

DR.03:08.1275.

1. Prohibited sexual advances include, but are not limited to:

- Propositions, or verbal abuse of a sexual nature,
- Graphic verbal commentaries about a person's body,
- Sexual and degrading words used to describe a person, ▪ The display of sexually suggestive objects or pictures.

2. Such actions constitute prohibited sexual harassment when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of employment,
- when submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting such employee; or
- when such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

HOW TO REPORT HARASSMENT

DR.03.08.1285.

Employees who believe they have been subjected to acts of sexual harassment shall immediately or as soon as practicable inform the Sheriff, Human Resources Manager or the Internal Affairs Office. For the comfort of the complaining employee, upon request, a management representative who is the same sex as the employee will be made available to receive the complaint. All complaints of sexual harassment shall be documented in writing.

All complaints of sexual harassment will be investigated, examined impartially, and resolved promptly by the STPSO.