

### 2.03 b Equal Employment Opportunity Policy

Equal employment opportunities are provided to all employees and applicants for employment without regard to race, religion, sex, national origin, age, disability, or other legally protected characteristic. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, and training.

This policy strictly prohibits any form of discrimination or unlawful harassment, including sexual harassment, based on an individual's sex, race, age, disability, religion, national origin, or any other legally protected characteristic.

### 2.03 c Harassment Policy

#### i. Purpose

St. John the Baptist Parish is committed to providing an environment free of all forms of harassment, including sexual harassment. It is the policy of the Parish to regard any unlawful harassment of volunteers, employees or the public as a very serious matter. Unlawful harassment of any kind, including sexual harassment, in this organization by any person is strictly prohibited and will not be tolerated.

#### ii. Definitions

- a) "Unlawful Sexual harassment" includes unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:
- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or standing within the organization.
  - Submission to or rejection of such conduct by an individual is used as a basis for employment decisions or standing affecting such individual.
  - Such conduct is severe or pervasive and has the purpose or effect of creating an intimidating, hostile, or abusive environment.
- b) Conduct which falls within the definition of unlawful sexual harassment may include, but is not limited to:
- Unwelcomed physical contact of a sexual nature such as patting, pinching or unnecessary touching. May include cornering, leaning in or standing too close or brushing up against a person.
  - Overt or implied threats against an individual to induce him or her to perform sexual favors or engage in unwelcomed sexual relationships.
  - Verbal harassment or abuse of a sexual nature, including intimating by way of suggestion a desire for sexual relations or the making of jokes or remarks of a sexual nature to or in the presence of an individual who finds them offensive.
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- Use of sexually suggestive terms or gestures to describe an individual's body, clothing or sexual activities.
- Displaying, printing or transmitting offensive sexually suggestive pictures or materials.
- Repeatedly asking a person to socialize during off-duty hours when the person has indicated they are not interested.
- Pressure for unnecessary personal interaction.

Note: Sexual statements can be made in person, in writing, electronically (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.

- c) This policy is not intended to create needless intrusions on the freedom of speech or expression of individuals nor to regulate individual's personal morality. It is intended to prevent any unlawful harassment in the workplace.
- d) This policy is included in the employee manual and is therefore provided to each employee. Upon their hire each individual shall sign an acknowledgment of having received, reviewed and understood this policy. The acknowledgment shall become a part of the employee/volunteer's personnel file.

### iii. Complaint Procedure

- a) Any employee who believes that he/she has been subjected to any form of unlawful harassment in the work environment is expected, and has a responsibility, to report the matter. Any complaints of unlawful harassment should be made to the Director of Human Resources. The individual should not contact anyone that he/she believes to be an involved party. All complaints of unlawful harassment should be made timely of the alleged harassment.
  - b) If an individual's complaint involves the Director of Human Resources, the complaint should be made directly to the Chief Administrative Officer. For such complaints the requirements specified for the Director of Human Resources in the remaining paragraphs of this Policy shall mean the Director of Human Resources/Chief Administrative Officer in conjunction.
  - c) The Director of Human Resources shall immediately record any complaint he/she receives on a complaint form regardless of the manner in which the complaint is received, indicating the date, persons involved, and a brief statement of the complaint. The complainant shall sign the complaint form. All complaints shall be kept confidential to the extent possible.
  - d) The Director of Human Resources shall conduct an investigation within 10 working days of receiving the complaint. The investigation shall include an interview with the complainant, the alleged offender, and any other persons who have knowledge of the subject of the complaint. The Director of Human Resources shall within a reasonable time make written findings and a written determination.
  - e) If the Director of Human Resources finds that there is a basis for the complaint, the Director of Human Resources will discuss the matter with the Chief Administrative Officer, and appropriate remedial action, including but not limited to suspension or termination, may be taken.
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- f) The Parish encourages and expects individuals to immediately report any incidents of perceived unlawful harassment and to cooperate with any investigation of a complaint of unlawful harassment.
- g) The Parish strictly prohibits any form of retaliation against any person who in good faith makes a complaint, raises a concern, provides information or otherwise assists in an investigation or proceeding regarding any conduct that he or she reasonably believes to be in violation of the Parish's sexual harassment, or any other policy. Such retaliation includes, but is not limited to, discharge, demotion, suspension, threats, harassment, intimidation, or coercion.
- h) See Appendix A for a Harassment / Discrimination Complaint Form

#### iv. Training

Per Louisiana R.S.42:343, the following mandatory training requirements must be met:

- Each public servant shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his public employment or term of office, as the case may be.
- An agency head shall require supervisors and any persons designated by the agency to accept or investigate a complaint of sexual harassment in his agency to receive additional 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 public servant's agency head.

The Human Resources Department 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.

#### v. Reporting

Beginning in 2020, an annual report will be compiled by the Human Resources Department by February 1st of each year containing information from the previous calendar year regarding compliance with the requirements of this policy. The report shall include:

- The number and percentage of employees who have completed the mandatory training requirements;
- The number of sexual harassment complaints received;
- 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; and
- The amount of time it took to resolve each complaint.

These reports shall be public record and available to the public in accordance with the Public Records Law.

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