



LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS
County Policy

Title: HARASSMENT (INCLUDING SEXUAL HARASSMENT)

Number: LCC-83

**Cancels: Policies and Practices
Employee Manual -
Section 3 - Harassment
and Section 4 - Sexual
Harassment, approved
Sept 7, 1999**

Approved: 11/25/08

I. OBJECTIVE

To express Lake County's commitment to preventing and maintaining a working environment for employees (including applicants and volunteers) that is free from any form of harassment, including sexual harassment.

II. REFERENCES

Title VII of the Civil Rights Act of 1964 (Title VII)
The Equal Pay Act of 1963 (EPA)
The Age Discrimination in Employment Act of 1967 (ADEA)
Title I and Title V of the Americans with Disabilities Act of 1990 (ADA)
The Civil Rights Act of 1991

III. DEFINITIONS

Harassment - includes, but is not limited to slurs, jokes, epithets, negative stereotyping, threats, intimidation, hostile acts; denigrating or hostile written or graphic material posted or circulated in the workplace or; any other graphic or physical conduct relating to an individual's race, color, gender, religion, national origin, age, familial status or disability.

Sexual Harassment - includes, but is not limited to verbal statements such as jokes, innuendo, intimidation and/or physical conduct of a sexual nature; unwelcome sexual advances, propositions and/or innuendos that create hostile working conditions; display in the workplace of sexually suggestive or explicit objects, pictures or drawings and/or denigrating written or graphic material posted or circulated in the workplace; and any other graphic or physical conduct relating to a person's gender.

IV. APPLICABILITY

This policy and procedure applies to all employees of Lake County Board of County Commissioners (BCC) and employees from other Lake County agencies covered by the County's Liability and Risk Insurance program.

V. **DIRECTIVES**

Any form of harassment related to the race, color, gender, religion, national origin, age, familial status or disability of an employee shall not be tolerated. In addition, sexual harassment shall not be tolerated.

The term Harassment includes, but is not limited to slurs, jokes, epithets, negative stereotyping, threats, intimidation, hostile acts; denigrating or hostile written or graphic material posted or circulated in the workplace or; any other graphic or physical conduct relating to an individual's race, color, gender, religion, national origin, age, familial status or disability.

Conduct considered to be sexual harassment includes, but is not limited to verbal statements such as jokes, innuendo, intimidation and/or physical conduct of a sexual nature; unwelcome sexual advances, propositions and/or innuendos that create hostile working conditions; display in the workplace of sexually suggestive or explicit objects, pictures or drawings and/or denigrating written or graphic material posted or circulated in the workplace; and any other graphic or physical conduct relating to a person's gender.

Verbal statements or physical conduct of a sexual nature is unlawful if:

- 1) Such behavior creates a hostile or offensive environment, or
- 2) Submission to such conduct is either explicitly or implicitly made a term or condition of employment or a basis of any employment decision affecting the individual.

Violations of this policy and procedure by an employee shall subject that employee to corrective action, up to and including termination of employment.

VI. **PROCEDURE**

A. Reporting

An employee, who feels that they are being harassed by any other employee or any employee who becomes aware of any harassment of an employee, should at once report the alleged act to any one or more of the following: their immediate Supervisor, the Employee Services & Quality Improvement Director, any Department Director, or the County Manager. The County Manager and the Employee Services & Quality Improvement Director shall be notified of all harassment complaints unless the complaint involves the County Manager or the Employee Services & Quality Improvement Director. The matter will be thoroughly investigated, and when appropriate, corrective action will be taken. It is emphasized that employees are not required to complain first to their Supervisor.

B. Retaliation

Employees should not assume that the County is aware of any employee harassment problems. Employees should immediately bring all complaints and concerns to the County's attention so that the concerns can be resolved. Employees will not be penalized in any way for making a report, in good faith, under this policy and procedure. No management personnel, supervisor or other employee shall place an employee at a disadvantage or retaliate against an employee for having reported a complaint of harassment. Any retaliation will result in corrective action up to and including termination.

C. Investigation & Confidentiality

The County does not condone harassment of its employees in connection with their work by non-employees, e.g., general public, vendors, truck drivers and customers. Any employee who becomes aware of any harassment of an employee by another employee or a non-employee should report such harassment to their Supervisor, Employee Services & Quality Improvement Director, any Department Director, or County Manager, who shall be responsible for investigating all such incidents. Appropriate action will be taken to remedy the situation.

All complaints of harassment shall be investigated and the employee will be advised of the findings. All actions taken to resolve complaints of harassment through internal investigations shall be conducted confidentially, to the extent possible and allowable by law.

D. Corrective Action

Any supervisor or employee who is found, after appropriate investigation, to have engaged in harassment of another employee will be subject to appropriate corrective action, up to and including termination, depending upon the circumstances.

Any employee who makes an intentional false allegation and/or report, under this policy and procedure, will be subject to corrective action up to and including termination.

Violation of this policy and procedure by an employee shall be subject to corrective action, up to and including termination.

E. Acknowledgement

Employees shall be advised of the contents of this policy and procedure and be required to acknowledge receipt of this policy and procedure. This acknowledgement shall be placed in the personnel record.

F. Maintenance of Records and Documents

The Office of Employee Services and Quality Improvement shall maintain records and documentation related to this policy and procedure, including documents related to procedures for employee code of conduct, training, acknowledgement forms, incident reporting and disciplinary action under the Board of County Commissioners.

G. Other Agencies

Other agencies covered by Lake County's liability coverage, including the volunteer program of the Board of County Commissioners, shall implement and maintain all sections and provisions of this (or similar) policy and procedure for their organization.

VII. RESERVATION OF AUTHORITY

The authority to issue or revise this policy is reserved to the Lake County Board of County Commissioners.

Welton G. Cadwell
Chairman, Board of County Commissioners
Lake County