

2.3 ANTI-HARASSMENT POLICY

- A. The Water District is committed to providing a work environment that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.
- B. It is the policy of the Water District to ensure equal employment opportunity without discrimination or harassment with respect to race, religion, color, sex, national origin, age, disability or any other protected status. All such harassment is not only unlawful but is specifically prohibited by the Water District.
- C. Types of Harassing Conduct
 - 1. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is explicitly or implicitly made a term or condition of an individual's employment; or
 - 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 interfering unreasonably with an individual's performance or creating an intimidating, hostile or offensive environment.
 - 2. 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 but is not limited to:
 - a. Sexual flirtations, advances, or propositions;
 - b. Verbal abuse of a sexual nature, including threats, off-color jokes, or crude and offensive language;
 - c. Graphic or suggestive comments about an individual's appearance or dress;
 - d. Leering or whistling;
 - e. The display of sexually suggestive objects or pictures;
 - f. Any offensive or unwanted physical conduct such as indecent gestures, touching, patting or pinching;

- g. Physical restraint or assault;
 - h. Sending sexually suggestive notes or messages;
 - i. Any other unwelcome physical, verbal or visual conduct of a sexual nature.
3. Harassment on the basis of any other protected characteristic is also strictly prohibited. The Water District prohibits harassment with respect to race, color, gender, religion, national origin, age, disability, and any other protected status. Harassing conduct includes slurs or negative stereotyping; threatening, intimidating or hostile acts; condescending jokes; and written or graphic material that is demeaning or shows hostility or aversion toward an individual or group that is posted or circulated in the workplace.
 4. Harassing conduct communicated or transmitted electronically through e-mail, phone messages, tweets, blogs, social networking sites, or other means is prohibited.

D. Individuals Covered

This anti-harassment policy applies to all employees of the Water District, as well as its vendors, contractors, and customers.

E. Notification Procedure

1. Any employee who feels that he or she has been subjected to harassing conduct or believes he or she has witnessed such conduct has a responsibility to report the situation as soon as possible to their supervisor, superintendent, or any Board Commissioner.
2. When possible, the Water District encourages employees to promptly advise the offender that his or her behavior is unwelcome and request that the conduct discontinue.
3. All complaints will be taken seriously and investigated. All employees and witnesses are expected to cooperate with the investigation. Information provided by employees will be treated as confidential. The information may be disclosed to those who have a need for the information or when required in the course of the investigation, or by law. False information provided by an employee may subject that employee to discipline, up to and including termination.
4. Harassment by any employee is grounds for disciplinary action, up to and including termination.

5. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim is a serious violation of this policy and will be subject to disciplinary action. Acts interpreted as retaliation should be reported immediately according to the notification procedure and will be promptly investigated and addressed.

F. Mandatory Sexual Harassment Training Requirements

1. 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.
2. 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.
3. 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.
4. Each agency head shall ensure that each public servant in the agency is notified of the agency's policy against sexual harassment and the mandatory training requirement of preventing sexual harassment. The agency head, or his designee, 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.
5. Each agency head shall ensure that its policy against sexual harassment and its complaint procedure is prominently posted on its website or, if the agency does not have a website, that a notice on how to obtain the information is posted in a conspicuous location in each of the agency's offices.
6. Local government entities may complete a training course request form on the State Civil Service website at:
<https://www.civilservice.louisiana.gov/Divisions/Training/PreventingSexualHarassment.aspx>

G. Mandatory Reports – R.S.42:344:

1. Each agency head shall compile an annual report by February first of each year containing information from the previous calendar year regarding his agency's compliance, including:
 - a. The number and percentage of public servants in his agency who have

completed the training requirements;

- b. The number of sexual harassment complaints received by his agency;
- c. The number of complaints which resulted in a finding that sexual harassment occurred;
- d. The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
- e. 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.

H. EEOC Requirements:

1. It is unlawful to harass an applicant or employee because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.
2. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general.
3. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex.
4. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).
5. The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.
6. Additional resources and guidance are available on the links on the

EEOC's website at:

https://www.eeoc.gov/laws/types/sexual_harassment.cfm