



WASHOE COUNTY POLICY ON SEXUAL HARASSMENT

Washoe County maintains a strict policy prohibiting sexual harassment. Sexual harassment is a form of unlawful discrimination based on sex under federal and state law and will not be tolerated at any level of county employment. This policy applies to all persons involved in the operations of the county and prohibits sexual harassment by any officer, employee, supervisor, and volunteers in county government. Sexual harassment, whether committed by a supervisor, co-worker, or member of the public is specifically prohibited and may be unlawful and against County policy. Such conduct must be reported, and investigated promptly in accordance with the procedure for investigating sexual harassment complaints. Specifically, no supervisor or employee shall, either explicitly, implicitly or by innuendo, make any sexual advances that are unwelcome and unwanted or have the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. No supervisor shall make sexual advances that will, if accepted or rejected, affect the employee's employment, evaluation, wages, advancement, assigned duties, or any other condition of employment or career development. Sexually harassing behavior in the workplace includes, but is not limited to unwelcome: offensive sexual flirtations, advances, physical contact of a sexual nature, comments either direct or implied, about an individual's physical appearance, unwanted and/or unsolicited jokes, stories or observations of a sexual nature including the display of sexually suggestive objects, gestures, pictures and cartoons.

While isolated incidents of harassment generally (unless severe) do not violate federal law, a pattern of such incidents may be unlawful. Therefore, it is the purpose of this policy to stop harassment before it arises to the level of a violation of law.

Employee Rights Under the Sexual Harassment Policy

1. Every county employee has the right to a workplace free of sexual harassment. Sexual harassment constitutes discrimination based on sex under federal and state law, and is therefore, an unlawful employment practice.
2. No county employee has to tolerate unwelcome or unwanted sexual behavior, or advances, from any other county employee, either supervisory or non-supervisory.
3. No county employee is to be subject to the threat or suggestion that his or her job, advancement, assignment, wage, etc., depends on whether or not he or she submits to sexual demands or tolerates harassment.
4. It is the right and responsibility of each employee to inform the individual whenever that person's actions become offensive and undesirable to the extent they could be considered sexual harassment.

5. If an employee experiences conduct that they believe violates this policy, that individual should go to any one or all of the following persons for assistance:
 - a. Their immediate supervisor
 - b. Department Head
 - c. Human Resources Department
6. The County requests and encourages all employees to report conduct they observe which is prohibited by this policy whether or not they are personally involved. All supervisory employees must take appropriate steps to prevent and stop harassment, and may contact the Department of Human Resources for guidance on what action should be taken. A supervisor or department head who receives a report pursuant to section 5 above, must contact the Human Resources Department. Failure to do so may result in discipline up to and including termination.
7. The county treats all complaints of harassment seriously and all employees are expected to be candid and truthful during the investigation and to make a good faith effort in participating in the resolution of such complaints. Employees must cooperate in sexual harassment investigations and employees may be disciplined for failure to cooperate in job related investigations. If evidence arises that a participant in the investigation has made intentionally false statements, the employee will be disciplined up to and including termination.
8. Upon filing a complaint of sexual harassment, the Human Resources Director, the Human Resources Director's designee, and/or an outside consultant will immediately initiate an investigation to gather facts regarding the complaint. To the extent feasible, the County will protect the confidentiality of harassment allegations, providing information to only those with a need to know. The County cannot guarantee complete confidentiality because the County must conduct an effective investigation. The investigation shall be completed as quickly as practicable in light of the need to conduct an investigation which is accurate and fair to all persons involved.
9. No action will be taken against an employee for complaining or providing information related to a complaint, whether a violation of this policy is proven or not. Washoe County will not retaliate against an employee for filing a complaint or providing information related to a complaint and will not tolerate nor permit retaliation by management, employees, or coworkers.

Any violation of this policy will result in immediate and appropriate disciplinary action, up to and including termination.

Nothing in this policy abrogates a person's rights or remedies, including due process rights to the extent applicable, as provided by contract, county code, state or federal law or the United States Constitution.

WASHOE COUNTY
SEXUAL HARASSMENT COMPLAINT PROCEDURE

Every employee is entitled to work in an environment free from prohibited harassment.

Any employee who believes he or she has been harassed should take the following steps:

1. Inform the harasser that behavior is unwelcome.
2. If the behavior persists, inform your supervisor/department head or Human Resources Department and acquire a complaint form.
3. The sexual harassment investigation will be conducted by the Human Resources Director, the Human Resources Director's designee, and/or an outside consultant and proceed as follows:

THE INVESTIGATION

1. Specific details will be obtained dealing with who, what, where, how often, who else, time place, history, contemporaneous events and reports.
2. A chronology of events will be prepared and confirmed with complainant.
3. Other persons may be interviewed who work with or near the alleged harasser.
4. The investigation will be limited to obtaining sufficient information for decision making. Every attempt will be made to complete the investigation within 30 working days.
5. Every attempt will be made to remain objective.
6. Evidence will be collected and evaluated to identify any inconsistencies between the people interviewed about the alleged harassment behavior, circumstances, location, dates and times, etc. Reinterview of people may be necessary to clarify previous statements and/or determine what the basis is for inconsistency.
7. A written summary of the investigation, including the evidence used to determine the merit of each allegation, will be prepared. The written summary (record) and all supporting material will be maintained as a confidential record.

8. The Human Resources Department may also make recommendations based on findings of the investigation. Any such recommendations made will also be maintained as a confidential record.
9. The Department Head will make a final determination based upon facts gathered through the investigation and take appropriate action regarding resolution of the case. The Department Head's written resolution of the complaint shall be maintained as a confidential record.
10. If the findings from the investigation disclosed sexual harassment, the department head shall take appropriate corrective action and advise the complainant that appropriate corrective action has been taken.
11. All documentation will be marked confidential and filed in a secure place within the Human Resources Department.
12. The Department Head and/or Human Resources Department will follow up with the alleged recipient to insure that the prohibited harassment stopped and that she/he is not receiving reprisal actions.

Employees always have the option to file a complaint with the appropriate federal or state agency.

WASHOE COUNTY SEXUAL HARASSMENT COMPLAINT FORM

DATE: _____

NUMBER: _____

NAME: _____

ADDRESS: _____ PHONE: _____

IMPORTANT!! Please answer as completely as possible the following questions. Use the back of this paper and as many additional sheets as necessary.

1. Exactly what happened?
2. Who is the alleged harasser?
3. Was the alleged harasser informed that his/her behavior was unwelcome?
4. What was his/her reaction, if informed?
5. When did the behavior(s) occur? (Be specific indicating date(s) and time behavior occurred.)
6. Where did the behavior(s) occur?
7. Were there any witnesses?
8. How often has the behavior occurred?
9. How long has the unwelcome behavior been going on?
10. Is there evidence related to this allegation?

I certify the above statements to be true and factual to the best of my knowledge.

Signature: _____