POLICY AGAINST HARASSMENT IN THE WORKPLACE

Livingston County is committed to providing a work environment where all employees are treated with dignity and respect. Harassment in the workplace based upon race, creed, color, sex, age, national origin, religion, marital status, height, weight, disability, or any other protected status will not be tolerated, whether committed by or directed toward co-workers, supervisors, vendors/consultants, or those persons receiving services from the County. Harassment of others in the workplace is destructive to a good working relationship and is counterproductive to the County's goal of providing outstanding services to the public. Therefore, it is every employee's responsibility to ensure that Livingston County maintains a fair and effective work environment that is free from harassment. If you have questions concerning this policy, please contact Human Resources.

A. Sexual Harassment Defined: Livingston County's equal employment opportunity policy against discrimination and harassment prohibited by law includes a prohibition against sexual harassment. The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

1. Submission to or rejection of such conduct or communication is made explicitly or implicitly a term or a condition of an individual's employment; OR
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in employment decisions affecting the individual; OR
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment. This includes, but is not limited to:
    a. Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
    b. Sexual or discriminatory displays or publications; and
    c. Retaliation for sexual harassment complaints.

The foregoing policies require that each individual exhibit, in his or her conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee. The prohibited conduct may be in the form of a sexual advance, but may also be in the form of less direct verbal or non-verbal behavior. Behavior may be unwelcome even if it is not intended or perceived as such by the person engaged in it. The following are some examples of possible sexual harassment:

- ☑ Verbal sexual comments, innuendos, slurs or jokes.
- ☑ Non-verbal sexual gestures, leering or staring.
- ☑ Visual displaying sexual pictures, writings, or objects.
- ☑ Physically inappropriate touching or blocking someone's movement.

- ☑ Threats, threatening or insinuating reprisal for refusing sexual demands or conduct

B. Other Discriminatory Harassment: Other forms of harassment are also prohibited. Verbal or non-verbal conduct that exhibits hostility or disrespect toward an individual or group because of race, religion, national origin, color, gender, age, marital status, height, weight, disability or any other protected classifications will not be tolerated. As with sexual harassment, behavior of this kind may take a number of forms including, but not limited to oral or written communications, the display of printed or graphic material, slurs, gestures, jokes and physical acts.

C. What You Should Do If You Believe You Have Been Harassed: You may, but are not required to, speak with the offending individual directly and inform the offending individual that the behavior in question is unwelcome and must be stopped.

It is the policy of Livingston County that any employee who in good faith believes he or she has been subjected to illegal discrimination or harassment prohibited by law, or who believes in good faith he or she has observed discrimination or harassment prohibited by law, must report their complaint as soon as possible to:

1. In writing to the individual's Department Director/Elected Official; or

2. If the individual does not feel comfortable with his/her Department Director/Elected Official, the individual should feel free to bypass such individual and file a complaint preferably in writing but may be verbal with the Human Resources Director.

If an employee has any questions regarding the reporting of such matters, he or she should contact the Human Resources Department.

D. What You Should Do If You Believe Another Employee Is Being Harassed: If an employee observes or has knowledge of an incident of harassment involving other employees, he or she should file a complaint as soon as possible with their Department Director/Elected Official or the Human Resources Director.

If you are a supervisor, you have a responsibility to maintain a work environment that is free from unlawful harassment and must report any observed or reported incident of harassment involving other employees immediately in writing to your Department Director/Elected Official or in writing or verbally the Human Resources Director.

E. How Complaints of Harassment Will Be Handled:

INVESTIGATION - The County will promptly conduct a thorough and impartial investigation of any complaint or report of harassment. The County or its agent conducting an investigation may require the employee to submit a written statement setting forth the details of the complaint and identifying relevant dates and possible witnesses.

CONFIDENTIALITY - To the extent possible, the County's investigation will be conducted in a manner calculated to protect the privacy of the individuals involved, and the confidentiality of the complainant.

DISCIPLINARY ACTION - If the investigation reveals that harassment has occurred, prompt remedial action will be taken which may include disciplinary action up to and including discharge. The nature of the discipline will depend upon the circumstances of each case.

Again, all complaints and the actions taken to resolve such complaints will be treated confidentially and will be disclosed only when necessary to the investigation and a resolution of the matter. However, no employee is promised strict or absolute confidentiality.

If an investigation of the complaint of harassment or unlawful discrimination reveals that the complaint was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

F. Protection Against Retaliation: If a report of discrimination or harassment prohibited by law is made in good faith, the County will protect the reporting individual from retaliation or any other detrimental impact on his or her employment. Disciplinary action, up to and including discharge, will be taken against anyone who attempts such retaliation. Employees who become aware of complaints or investigations of harassment are expected to refrain from unnecessary and unprofessional discussions with coworkers concerning the individuals involved, as such discussions may themselves be a form of retaliation or harassment.

Acknowledgement Form for
Policy Against Harassment in the Workplace

By signing below, I, _____, acknowledge that I have received a copy of the Livingston County Policy Against Harassment in the Workplace. I further acknowledge that I understand that it is my responsibility to become aware of the provisions within such policy and to seek to become aware of the provisions which I do not understand from my supervisor and/or the Personnel Office. It is further my understanding that this policy is not a contract, and is subject to modification by the Board of Commissioners within their discretion, but rather it is intended as an informational guideline of the County's personnel policies.

Date:_____ X_____

Employee Signature