

DELAWARE COUNTY

Subject SEXUAL HARRASSMENT POLICY	Effective 5/15/2000	Supersedes Handbook	This Sheet 1	T.Sheets 3
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1.0 Purpose

To insure that the Delaware County Offices/Departments

2.0 Scope

All County Appointing Authorities, Offices, Departments, and Employees

3.0 Distribution

To all County Appointing Authorities, Offices, Departments, and Employees

4.0 Definitions

- **Quid Pro Quo Harassment** occurs when an employee's submission to or rejection of sexual advances becomes the basis for employment decisions or tangible job benefit or detriment.
- **Hostile Work Environment Harassment** occurs when unwelcome sexual jokes, innuendo, comments, or actions create an offensive work environment.

5.0 Policy

SEXUAL HARASSMENT STATEMENT

Delaware County has a strong commitment that all employees should enjoy a working environment free from all forms of discrimination, including sexual harassment. Sexual harassment is any unwelcome or unsolicited sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Sexual harassment is **illegal** and **will not be tolerated**. Therefore, Delaware County has implemented a sexual harassment policy that will treat sexual harassment as any other form of serious employee misconduct. Conditions which constitute harassment on the basis of sex include any unwelcome sexual advances, requests for sexual favors, or other verbal or physical sexual conduct when:

- Submitting to such conduct is made a term or condition of employment;
- Submitting to or rejecting such conduct is used as the basis for employment decisions; or

- Such conduct creates an intimidating, hostile, or offensive work environment.

Inappropriate behavior and/or conduct, based on the above information, is strictly prohibited and performance of this behavior is grounds for disciplinary action up to and including dismissal for cause.

There are two forms of sexual harassment: Quid Pro Quo and Hostile Work Environment.

- **Quid Pro Quo Harassment** occurs when an employee's submission to or rejection of sexual advances becomes the basis for employment decisions or tangible job benefit or detriment.
- **Hostile Work Environment Harassment** occurs when unwelcome sexual jokes, innuendo, comments, or actions create an offensive work environment.

While Quid Pro Quo Harassment is typically clear because an employee is either rewarded or damaged in return for sexual favors, Hostile Work Environment Harassment is not always as recognizable. For Hostile Work Environment Harassment the impact of the behavior, not the intent of the person doing the act, determines if sexual harassment has occurred. Always remember that "unwelcome" is decided by the impact on recipient of the behavior, not the intent of the person initiating the behavior. Also, a hostile environment can be created when a third party witnesses sexual behavior, conduct, or comments between two or more consenting people and finds such activity "unwelcome" in the workplace.

Some example questions to ask yourself prior to initiating questionable behavior include:

- Would I want this on the evening news?
- Is there equal power, initiation, and participation between me and the person I'm interacting with?
- Would I do this if my significant other were standing next to me?
- Would I want someone to do this to my significant other?

Some behaviors to avoid at work include:

- Telling or circulating sexual jokes
- Using sexual innuendo
- Making propositions
- Commenting on another's anatomy
- Commenting on your own anatomy
- Flirting nonverbally
- Sitting or standing in a sexually suggestive manner
- "Touching" or "brushing" improperly
- Using sexual gestures
- Repeatedly asking another person out

If an employee has experienced any form of sexual harassment, Quid Pro Quo or Hostile Work Environment, the employee shall follow the following procedure to report the incident.

- The employee shall **immediately** report the harassment to their supervisor, department head, appointing authority, or the personnel coordinator; however, the employee is expected to bypass the standard chain-of-command in reporting allegations of sexual harassment when the person whom the employee would normally report is the employee who allegedly committed the harassment;
- Co-worker to co-worker and non-employee harassment shall be reported to the immediate supervisor.

No management employee or other employee may retaliate or discriminate against any employee for filing a complaint. Anyone acting in such a manner will be subject to disciplinary action up to and including dismissal.

Each and every allegation will be taken seriously, investigated thoroughly and completely, and an appropriate course of action will be taken to resolve the situation in the most expeditious means possible by law.

Employee Signature

Date

Human Resources Representative

Date