

SEXUAL HARASSMENT POLICY

Purpose: To provide direction and rules for governing the conduct of employees to ensure a work place free from sexual harassment.

Policy: Pursuant to the Personnel Merit System, it is the policy of the City and County to provide a work environment that is free from sexual harassment and to forbid sexually harassing conduct by any employee directed toward another person.

Applicability: All employees, volunteers and contractual persons (includes condoning harassment by non-employees while conducting business in the City and County).

Definitions: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Quid Pro Quo Harassment: No supervisor shall threaten or insinuate that an employee's submission to or rejection of sexual advances will in any way influence any decision or condition regarding that employee's employment.

Hostile Work Environment: No employee or supervisor shall engage in any conduct, verbal or nonverbal, physical or nonphysical, where such conduct creates an intimidating, hostile or offensive work environment.

Penalty: Any employee who sexually harasses anyone while conducting City and County business shall be subject to disciplinary action, up to and including discharge. Any manager or supervisor who participates in or fails to take appropriate action on reported actions, or retaliates against an employee who reports an incident or files a complaint, shall be subject to the same disciplinary action.

Reporting: Employees who feel they have experienced or witnessed sexual harassment should immediately report the conduct to their supervisors who shall in turn report those complaints to the Director of Human Resources. If the

supervisor is the subject of the complaint, employees should report the conduct directly to the Director of Human Resources.

Investigation: All complaints of sexual harassment shall be thoroughly investigated, and, to the extent possible, all complaints and the terms of their resolution shall be kept confidential.