

## LCCS POLICY 486 Sexual Harassment

<b>Original Issue Date:</b>	3/1/1989
<b>Revision Dates:</b>	12/15/1992, 8/8/1994, 12/10/1996, 2/8/2000, 2/13/08, 5/31/2010
<b>Revision Number:</b>	6
<b>Current Effective Date:</b>	6/9/2010
<b>Obsolete/Combined Date:</b>	
<b>Reason for Obsoleting/Combining:</b>	
<b>See new Policy #:</b>	

<b>Scope:</b>	All Lucas County Children Services employees, vendors, board members, contractors, and non-employees on agency grounds.
<b>Responsibility:</b>	All Lucas County Children Services employees
<b>Purpose:</b>	To provide a work environment free from sexual harassment.
<b>Legal Cite:</b>	Title VII of the Civil Rights Act of 1964 and O.R.C. Chapter 4112.

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### **POLICY STATEMENT**

LCCS is committed to having an environment free from all forms of sexual harassment. Sexual harassment not only violates agency policy, but federal, state, and local laws as well. It is neither permitted nor condoned. The coverage of this policy extends to all staff, vendors, board members, contractors and visitors to the Agency.

It is also a violation of agency policy against sexual harassment for any employee to attempt in any way to retaliate against a person who makes a complaint of sexual harassment.

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### **PROCEDURE**

#### **EMPLOYEE RESPONSIBILITY**

Any staff who believes that he or she is being sexually harassed by anyone on agency property should immediately do the following:

- Firmly address whoever is doing the harassing, stating your feelings about the behavior and ask them to stop at once. If you are uncomfortable or unable to address the offending party, go to your immediate supervisor and/or the Supervisor of Human Resources.
- If the harassment continues, or you believe that some employment consequence may result from your confrontation, go to your immediate supervisor or the Supervisor of Human Resources.
- If after a reasonable length of time you believe that inadequate measures have been taken to resolve your complaint, go directly to the Executive Director.

- Employees who have knowledge of acts of sexual harassment should bring the incident(s) to the attention of management immediately.

### **MANAGEMENT RESPONSIBILITY**

Each LCCS manager is responsible for preventing and eliminating sexual harassment within his/her unit, department or work area.

- Complaints of sexual harassment warrant the immediate attention of the manager to whom the complaint is made. Managers shall immediately (that work day) report such complaints to the Supervisor of Human Resources or designee.
- Notification of a sexual harassment complaint should follow the chain of command. (worker → supervisor → assistant manager, when applicable → manager → division director/ associate director)
- Following notification to Human Resources, the manager, with the assistance of the Human Resources Department, will immediately initiate an investigation of the complaint.
- The Human Resources' Supervisor/ Director will take the lead in the investigation.
- Investigation of sexual harassment complaints will include discussions with the parties involved and any witnesses. The manager shall document all discussions, identifying date/time, those present, topics discussed and responses provided.
- The investigation will remain strictly confidential, to the extent possible. Information regarding the complaint and investigation of sexual harassment will not be voluntarily released to third parties or to anyone inside the agency who is not involved in the investigation.
- Any individual who after an investigation is found to have violated the agency's policy against sexual harassment will be subject to disciplinary action, including, but not limited to, reprimand, suspension or termination. The disciplinary action taken will depend upon the severity of the offense.
- False claims of sexual harassment, which are found to be vindictive in nature, may also result in disciplinary action.

**This policy will be reviewed a minimum of every 6 months in unit meetings.**

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## **CASE PRACTICE GUIDES**

### **DEFINITION:**

Sexual harassment includes but is not limited to sexual advances and suggestions where:

- Submission to such conduct is either an expressed or implied term or condition of employment.
- Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person.
- The conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating a hostile, intimidating, or offensive work environment.
- Sexual harassment may consist of unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when an employee's response to such conduct affects his/her job status or work environment.

While sexual harassment situations can take place between a supervisor and subordinate employee, it also may occur between co-workers of the same status. It can occur between members of the same gender as well as between members of different genders.

### Consensual Relationships

Personal relationships must not be allowed to interfere with the professional integrity of supervisor-employee or other professional relations within the Agency. Intimate relationships within the agency are strongly discouraged. However if an intimate relationship should exist or develop between staff members, employees are to refer to B-11 Nepotism in the Employee Handbook.

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## **RELATED POLICIES and FORMS**

LCCS Employee Handbook