

SECTION 9: SEXUAL HARASSMENT

This represents the organizational policy of the Prairie Road Water District concerning sexual harassment. Any questions concerning the context or content of this policy should be discussed with the Board of Commissioners.

It is the belief of the Prairie Road Water District that its employees are the primary means by which the goals and objectives of the district will be met. All employees are defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when the conduct explicitly or implicitly affects an individual's employment or the holding of office, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment and discrimination in the workplace are prohibited by federal law through the Civil Rights Act of 1964 and by state law through La. R.S. 23:301 et seq. These laws prohibit both quid pro quo harassment, which arises when consent to sexual demands is made an express or implied condition of employment,

and hostile work environment harassment, which arises when the workplace is permeated with discriminatory intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the condition of the victim's employment and created an abusive working environment.

Sexual harassment may be defined as unsolicited, offensive behavior that inappropriately asserts sexuality over employees including but not limited to the following.

- (a) Verbal: Sexual innuendos, suggestive comments, threats, sexual humor;
- (b) Non verbal: Leering, whistling, obscene gestures, showing inappropriate images; and
- (c) Physical; Touching, brushing the body, coerced sexual activity, assault, impeding egress or passage.

Sexual harassment and discrimination in the workplace shall not be tolerated and the Prairie Road Water District will take appropriate action to end any such harassment and/or prevent the recurrence of any such misconduct.

If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behavior is inappropriate, and that the employee would like it stopped.

Any employee of the Prairie Road Water District may file a complaint of sexual harassment. Any employee who believes he or she has been subjected to unlawful sexual harassment, or has been retaliated against for reporting such activities or assisting in a related

investigation of such activities, must report the alleged act immediately or as soon as possible to (list name and contact information for designee along with an alternate contact person). It is not necessary for an employee to complain to an offending supervisor in order to report sexual harassment. If, for whatever reason, the employee does not feel that the persons named in this paragraph are suitable person to whom to report the incident, the employee should contact the mayor (provided contact information for mayor here).

Whether or not a particular incident is sexual harassment requires a complete factual investigation, and the Prairie Road Water District will conduct such investigations on all complaints in a manner so as not to cause any serious effect on innocent employees who either file a complaint and/or may be the subject of a filed complaint. In all instances, a prompt and thorough investigation will take place, giving careful consideration to protect the rights and dignity of all persons involved.

It is mandatory that all parties to an allegation of sexual harassment participate in the investigation of the incident, and cooperation in the investigation of claims of harassment is an express element of each employee's employment with the (Prairie Road Water District). The (Prairie Road Water District) will take those steps it feels necessary to resolve the problem, which may include verbal or written reprimand, suspension or termination.

The Prairie Road Water District will investigate by gathering information, in as confidential a manner as possible, given the need to investigate the complaint, from all concerned parties, and it will

retaliate against any employee as result of report of alleged harassment or cooperation with any investigation. The Prairie Road Water District may consult its legal representative for assistance in determining whether conduct that has occurred does in fact constitute sexual harassment. The (Prairie Road Water District) may also make subsequent inquiries from time to time to ensure offensive conduct does not resume and /or that the subject of such harassment has not suffered any retaliation.

No retaliation of any kind will be tolerated because an employee in good faith reports an incident of suspected harassment. The supervisor, or other person to who the complaint was made, will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any sexual harassment complaint.

Any employee, manager, or supervisor found by the (The Prairie Road Water District) to have unlawfully sexually harassed, or unlawfully retaliated against, another employee will be subject to appropriate discipline, up to an including termination. If any employee, manager, or supervisor is found by the Prairie Road Water District to have intentionally made a false allegation of sexual harassment, the individual will be subject to appropriate discipline, up to and including termination.

Regardless of the outcome of the investigation by the (Prairie Road Water District), a complainant may pursue a claim under state and/or federal law.

MANDATORY TRAINING:

All employees complete a minimum of one (1) hour education and training on preventing sexual harassment each calendar year.

Training is conducted either in person or via the internet.

The General Manager will keep a list of participants, date and time of the training and copy of the certificate.

FEDERAL & STATE LAWS:

Sexual harassment is a form of sex discrimination prohibited by federal and state laws, including Title VII of the Civil Rights Acts and the Louisiana Employment Discrimination Law. See 42 U.S.C. & 2000e, et seq.' La R.S. 23:301 et seq.

Employees may obtain additional information regarding sexual harassment from the Equal Employment Opportunity Commission and the Louisiana Commission on Human Rights.

MANDATORY ANNUAL REPORT

NOTES

Prairie Road Water District shall compile an annual report by February 1 of each year containing information from the previous calendar year regarding compliance with La. R.S. 42:341. That mandatory annual report will include the following information from the prior calendar year:

1. The number and percentage of public servants in the body who have completed the training requirements ("Public servant," is defined as any public employee and any elected official)
2. The number of sexual harassment complaints received by the body
3. The number of complaints which resulted in a finding that sexual harassment occurred
4. The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action
5. The amount of time it took to resolve each complaint

Through this report is mandatory, there is no statutory obligation to submit the report to any government or regulatory agency. HOWEVER, this report is public record and must be made available to the public consistent with the Public Records Law.

There is no obligation under the law to provide the names of parties involved in the complaint nor the nature of the complaint, nor the resolution of each and every complaint. Thus, the mandatory annual report may be very brief and numerical.

If the report results in a public records request for further information regarding the complaints, the public body is obliged to respond to that request in conformity with the Public Records Law. A guide for answering any such requests-along with an exhaustive table of public records exceptions- may be accessed and downloaded for free at www.lma.org.
