Productive Work Environment & Sexual Harassment

St. Mary Parish Government

Introduction

- Productive Work Environment
- Sexual Harassment
- Equal Employment Opportunity Commission (EEOC)
- Preventing Sexual Harassment

The Main Objective…….

St. Mary Parish Government has a responsibility to provide a productive, respectful workplace free from any form harassment, including sexual harassment.

St. Mary Parish Government will:

- Ensure that supervisors, managers, and senior staff are role models for desired behaviors;

- Educate employees and supervisors on their responsibilities to maintain a work environment free from harassment and discrimination;

- Provide training for all staff to become familiar with equal employment opportunity laws and how they impact behavior in the workplace;

- Explain the consequences of harassment and discrimination by providing policies that deal with harassment, work rules and behaviors, drug awareness, and other topics that may negatively impact the work climate;

- Provide complaint procedures for employees to follow when reporting instances of harassment;

- Know when to conduct thorough investigations of all allegations of harassment.

Training Outline

- Lesson 1: Productive Work Environment
- Lesson 2: Sexual Harassment
- Lesson 3: Equal Employment Opportunity Commission (EEOC)
- Lesson 4: Preventing Sexual Harassment

Lesson 1: Productive Work Environment -- Objectives:

- To provide awareness to all Parish employees of the policy.
- To ensure that all Parish employees know and understand the policy.
- To ensure all Parish employees that there will not be any retaliation for filing a complaint or participating in an investigation.

Lesson 1: Productive Work Environment – The Policy

It is the policy of the Parish to promote a productive work environment and not to tolerate verbal or physical conduct by any employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment.

- Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassment or disruptive activity.

- No form of harassment will be tolerated, and special attention is called to the prohibition of sexual harassment.



- Each supervisor has a responsibility to maintain the work place free of any form of sexual harassment.

- No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employees terms or conditions of employment.

- Other sexually harassing or offensive conduct in the workplace whether committed by supervisors, non-supervisory employees, or non-employees, is also prohibited. Such conduct includes:

  - Sexual flirtations, touching, advances, or propositions;
  - Verbal abuse or a sexual nature;
  - Graphic or suggestive comments about an individual's dress or body;
  - Sexually degrading words to describe an individual;
  - The display in the work place of sexually suggestive objects or pictures, including nude photographs.

- Any employee who believes that a supervisor's or another employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible.

- Such report or complaint should be made to the employee's supervisor, or to the department head or to the Director of Personnel if the complaint involves the supervisor.

- Complaints of harassment are to be investigated and settled under the Parish's grievance policy, unless special procedures are deemed appropriate.

- Regardless, all complaints of harassment are to be investigated promptly and in as impartial and confidential a manner as possible.

- Employees are required to cooperate in any investigation.

- A timely resolution of each complaint is to be reached and communicated to the parties involved.
- Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.

- This policy is Section II – 2 of the Personnel Policy Manual. It is of such important that when a new employee is signed up, this policy is explained to them and they are given two (2) copies to sign and date. One copy is given to them and the second copy is put in their personnel file.

- Every so often we send this policy out to Supervisors & employees as a reminder.

Lesson 1: Wrap-up

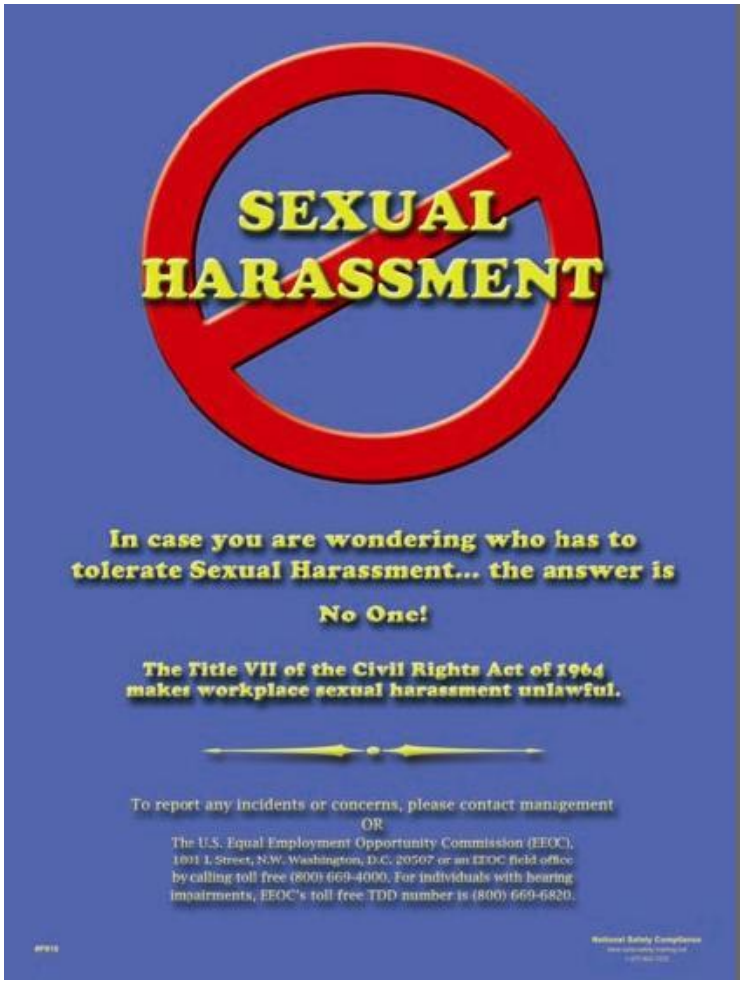
- No form of harassment, either physical or verbal, will be tolerated.
- Supervisors must maintain a workplace free from any form of harassment.
- Reports or complaints should be made immediately.
- There will be no retaliation.

Lesson 2: Sexual Harassment -- Objectives:

- To ensure that all parish employees know and understand the definition and terminology associated with sexual harassment;
- To recognize those actions that could be considered sexual harassment;
- To determine what situations are, or could develop, into a sexual harassment problem.

Lesson 2: Sexual Harassment

- Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.
- Title VII applies to employers with 15 or more employees, including state and local governments.



Unwelcomed sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonable interferes with an individuals' work performance, or creates an intimidating, hostile, or offensive work environment.

- Sexual harassment can occur in a variety of circumstances, including but not limited to the following:
  - The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
  - The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
  - The victim does not have to be the person harassed, but could be anyone affected by the offensive conduct.

- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcomed.



- It is helpful for the victim to inform the harasser directly that the conduct is unwelcome and must stop.

- The victim should use any employer complaint mechanism or grievance system available. In our case, the policy would be to follow the procedure outlined in the Productive Work Environment Policy.



Lesson 2: Wrap-up

- Sexual harassment is *unwelcomed* conduct.
- The victim does not have to be a woman, nor do they have to be the opposite sex.
- Victims should immediately inform the harasser that conduct is unwelcome and must stop.
- Always report any situation *immediately* in accordance to the Productive Work Environment Policy.

Lesson 3: Equal Employment Opportunity Commission (EEOC) -- Objectives

- To ensure that all parish employees know and understand the role that the EEOC plays in a sexual harassment claim;

- To ensure that all parish employees know and understand that the EEOC enforces violations and complaints of Title VI of the Civil Rights Act of 1964, and other acts.

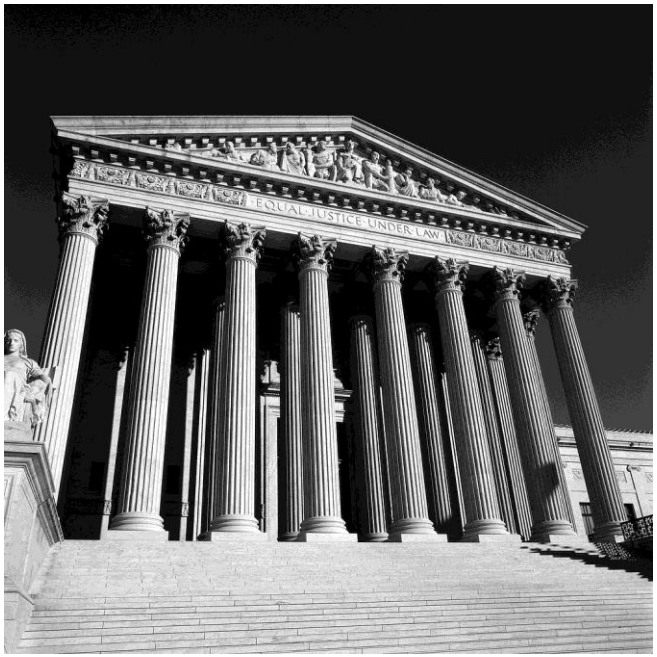
- To ensure that all parish employees know what the EEOC is and how to contact them.

- To educate all parish employees on Title VII of the Civil Rights Act of 1964.



Lesson 3: Equal Employment Opportunity Commission (EEOC)

- The five-member Commission makes equal employment opportunity policy and approves most litigation. The General Counsel is responsible for conducting EEOC enforcement litigation under ***Title VII of the Civil Rights Act of 1964 (Title VII)***, the ***Equal Pay Act (EPA)***, the ***Age Discrimination in Employment Act (ADEA)***, and the ***Americans with Disabilities Act (ADA)***.



Title VII of the Civil Rights Act of 1964

An Act to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1964".

- It is highly recommended to report any complaints, incidents, or situations of sexual harassment to St. Mary Parish Government before reporting to the EEOC.

- St. Mary Parish Government will immediately investigate any allegations or complaints of sexual harassment and make every attempt to resolve, remove, or do whatever is necessary to comply with our policy, and remedy the situation; however, you have the right to file a charge with EEOC at any time if you feel that your employment rights have been violated.

- When investigating allegations of sexual harassment, the Equal Employment Opportunity Commission (EEOC) looks at the whole record: the circumstances, such as the nature of the sexual advances, and the context in which the alleged incidents occurred.

- If a charge is received by the EEOC against St. Mary Parish Government, they will contact us for information such as did the alleged victim file a report/complaint with us, did we investigate the complaint, what were our findings, etc. Our documentation plays a huge role in how the EEOC handles the case.

- A determination on the allegations is made from the facts on a case-by-case basis.
- You can contact the EEOC by the internet at www.eeoc.gov
- Statistics:
  - Each year over 15,000 sexual harassment cases are brought before the EEOC.
  - Studies show that 40% – 70% of women and 10% - 20% of men have experienced some form of sexual harassment in the work place.

Lesson 3: Wrap-up

- It is highly recommended to report complaints of alleged sexual harassment to St. Mary Parish Government.
- The EEOC enforces several acts including Title VII of the Civil Right Act of 1964 which prohibits sex discrimination.
- Sexual harassment is a form of sex discrimination.
- Anyone can file a charge of discrimination with the EEOC.

Lesson 4: Preventing Sexual Harassment – Objective:

- To ensure that all parish employees know that they have a responsibility to prevent sexual harassment.
- To increase awareness of all parish employees to better address the issues of sexual harassment.
- To give you approaches and techniques that can be used to prevent sexual harassment in the workplace.

Lesson 4: Preventing Sexual Harassment

- Be serious about stopping and preventing sexual harassment. Don't let negative attitudes about people come out at work.

- Remember it is your responsibility to do your work and follow the policies and procedures of your employer (St. Mary Parish Government).

- In the case of sexual harassment, it could cost your employer a great deal of money in a court case, and it could cost you your job!

- When you are at work remember to:
  - Avoid behavior that has sexual overtones, including:
    - Complimenting a person's body.
    - Asking questions about a person's sex life.
    - Asking to date someone who has repeatedly said "no".
  - Keep your work area decorated appropriately. There should not be posters, pictures, or other items that some people could find offensive.
  - Don't use sexual humor.

- Don't go overboard at office parties, picnics, or after work socializing – especially when alcohol is involved. You still have to work with these people. Your agency could be liable for damages even outside of work. Don't take the risk.

- Remember the rules of proper conduct to your agency's customers, vendors, suppliers, etc. Don't harass any of them or let them harass you.



As an employee of St. Mary Parish Government, you have the responsibility to prevent sexual harassment from occurring.

This training should increase your awareness and provide you with the skills and motivation you need to better address the issues of sexual harassment.

It gave you examples of what needs to be done, and what approaches and techniques can be used to prevent sexual harassment in the workplace.

Summary of Training

- The Productive Work Environment Policy promotes a productive work environment free from any type of conduct which harasses, disrupts, or interferes with another's work performance or creates a intimidating, offensive or hostile environment.

- Sexual Harassment is a form of sex discrimination. Unwelcomed sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonable interferes with an individuals' work performance, or creates an intimidating, hostile, or offensive work environment.

- The EEOC enforces violations of the several acts including Title VII of the Civil Rights Act of 1964, which prohibits sex discrimination. Sexual harassment is a form of sex discrimination. Anyone can file a charge of discrimination with EEOC, but it is highly recommended to report claims to St. Mary Parish Government first for investigation.

- As an employee of St. Mary Parish Government, you have the responsibility to prevent sexual harassment from occurring by using the information provided and following the policies and procedures.