

## La Plata Police Department – General Order

	Title: <b>Sexual Harassment</b>		Order #: <b>426</b>	
	Effective Date: July 30, 2015	Review Date:		
	<input checked="" type="radio"/> New <input type="radio"/> Amends <input type="radio"/> Rescinds			
Approved by: <b>Chief Carl Schinner</b>				CALEA 5 <sup>th</sup> Edition
CALEA Standard: 26.1.3				Pages: 3

**01 POLICY:** The La Plata Police Department prohibits sexual harassment by all employees at all levels and recognizes that all employees have a right to work in an environment free from any type of discrimination, including freedom from sexual harassment. The United States Equal Employment Opportunity Commission (EEOC) has established guidelines on “sex-related intimidation” in the work place. Therefore, all employees shall demonstrate respect for others and ensure that their behavior and remarks are free from offensive, intimidating or harassing actions or comments. The purpose of this order is to define sexual harassment, to establish a Department policy prohibiting sexual harassment and to establish complaint procedures for employees who feel they have been subject to sexual harassment.

**02 PROCEDURE:**

A. Definitions:

1. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:
  - a. Submission to such is made explicitly or implicitly a term or condition of an individual’s employment.
  - b. Submission to or rejection of such conduct by an individual is used as a basis of employment decisions affecting such individual.
  - c. 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.

2. Sexual harassment is not just blatant physical actions but also includes the more subtle forms of harassment such as verbal statements, direct or indirect, and innuendo.

B. Sexual Harassment Complaints:

1. The employee has the option of reporting formal complaints of sexual harassment directly to the Chief of Police or a supervisor of any rank. Sexual harassment of employees of the Town of La Plata will not be tolerated. This means that the following behaviors are grounds for disciplinary action:
  - a. Abusing the dignity of an employee through insulting or degrading sexual remarks, epithets, slurs, jokes or conduct;
  - b. Visual conduct, (i.e., leering, making sexual gestures, displaying (placing in mailbox, on desk, file drawer) of sexually suggestive objects, pictures, cartoons or posters;)
  - c. Verbal abuse of sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual’s,

- suggestive or obscene letters, notes or invitations;
  - d. Physical conduct, (i.e., touching, assault, impending or blocking movements;)
  - e. Threats, demands or suggestions that an employee's work status is contingent upon the employee's toleration of or acquiescence to sexual advances; or,
  - f. Retaliation against employees for complaining about the behavior above.
2. Any employee who encounters or witnesses such behavior from supervisors, fellow employees, or citizens shall immediately contact a supervisor of any rank or the Chief of Police.
  3. The Chief of Police shall assess each situation by conducting an investigation (may do his/herself or assign the investigation to Internal Affairs) and report the findings along with a recommendation to the Town Manager.
  4. The Town Manager will review the facts pertaining to the investigation and make a determination whether reasonable grounds exist to believe discrimination has occurred. If grounds exist, the Town Manager will take appropriate action that will be taken after conferring with the Chief of Police and the Human Resources Director.
  5. If the victim employee is not satisfied that the issue has been resolved informally, employees may file a formal complaint regarding sexual harassment with the Employee Relations Board. The employee also has the option of filing a complaint with the local office of the EEOC.

C. Supervisor's Responsibilities:

1. Supervisors have the affirmative duty to maintain the work place free from sexual harassment and intimidation. Supervisors shall set an example of appropriate behaviors through their own conduct at work and counsel their employees on prohibited behavior and Department procedures for resolving complaints. Supervisors will take immediate and appropriate corrective action in cases involving complaints of sexual harassment. Corrective action includes, but is not limited to:
    - a. Discussing this policy in detail with subordinates.
    - b. Ensuring subordinates that they can work in security and dignity and will not be required to endure any form of sexual harassment
  2. Supervisory personnel and co-workers are prohibited from taking any retaliatory actions toward an employee who has made a complaint of sexual harassment, or testifying witnesses to the violations. Retaliation is illegal and considered serious employee misconduct, which is subject to disciplinary action. Supervisory personnel shall closely monitor the work environment to insure that retaliation does not occur.
  3. Supervisors shall, through their chain of command to the Chief of Police, immediately report any complaints concerning sexual harassment.
- D. Questions regarding sexual harassment should be directed to the employee's supervisor, the Chief of Police or local EEOC office.

- 03 FALSE COMPLAINTS:** Given the nature of the type of discrimination, the Department also recognizes that false accusations of sexual harassment can have serious effects on innocent men and women. Therefore, false accusations will result in the same severe disciplinary action applicable to one found guilty of sexual harassment.

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