

EMPLOYEE DISCRIMINATION, HARASSMENT, AND SEXUAL HARASSMENT

Lafayette Parish Assessor's Office (LPAO) strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The environment of the company should be characterized by mutual trust and the absence of intimidation, oppression, and exploitation; therefore, LPAO will not tolerate unlawful discrimination or harassment of any kind. Prevention and elimination of inappropriate behavior requires the personal involvement and commitment of every LPAO employee. Through enforcement of this policy and by education of employees, LPAO will seek to prevent, correct, and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy, take appropriate measures to ensure that prohibited conduct does not occur, and follow the outlined reporting procedures if inappropriate behavior does occur. Employees can be assured that LPAO will objectively and thoroughly investigate reports; implement preventive measures to protect against recurrence; impose corrective action to address violations; and protect complainants and individuals involved in the investigative process from any form of harassment, reprisal, or retaliation. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

Prohibited Conduct Under This Policy

LPAO, in compliance with all applicable federal, state, and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination

It is a violation of LPAO's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information, or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state, and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

Harassment

LPAO prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate, or coerce an employee, co-worker, or any person working for or on behalf of LPAO.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs, and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status, or other protected status.

Sexual Harassment

Sexual harassment is strictly prohibited under the Equal Employment Opportunity Commission, Section 703 of Title VII of the Civil Rights Act of 1964 as amended; Louisiana Employment Discrimination Law, R.S. 23: 301-303 and 332; and La R.S. 42:341-345. It is defined by the Equal Employment Opportunity Commission as:

Unwelcome sexual advances, requests for sexual favors, and other verbal, physical or inappropriate conduct of a sexual nature if: (1) submission to such conduct is an explicit or implicit term or condition of an individual's employment; (2) submission to or rejection of such conduct is a basis for employment decisions affecting such individual; or (3) the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of behaviors and may involve individuals of the same or different gender. Sexual harassment of any employee by another employee, supervisor, or other person with whom an employee may have contact as part of the work environment is prohibited. Sexual harassment does not require the intent to offend. All employees should know of their responsibilities and protection under this policy.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets, and internet postings; or other forms of communication that are sexual in nature and offensive.

- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, non-coercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the Chief Deputy Assessor and/or Assessor will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the Administration department.

Retaliation

Any LPAO employee making a good faith complaint of discrimination, harassment, or sexually inappropriate behavior will be protected from retaliation, reprisal, and harassment. Likewise, any employee providing information or otherwise participating in the investigation of such a complaint will be protected from retaliation, reprisal, and harassment.

If a complaint is made and the investigation reveals that retaliation, reprisal, or harassment has occurred against a complaining employee or anyone participating in the investigative process, appropriate and severe disciplinary action will be taken, including the possibility of termination.

Complaint Procedure

LPAO has established the following procedure for lodging a complaint of any form of harassment, discrimination, or retaliation, and will treat all aspects of the procedure confidentially to the extent reasonably possible.

- 1) Any employee experiencing, witnessing or having knowledge, directly or indirectly, of inappropriate behavior by anyone towards anyone associated with LPAO or on LPAO premises, including any administrator, manager, supervisor, co-worker, vendor, client or visitor, should immediately report the occurrence to the Chief Deputy Assessor. If the complaint involves the Chief Deputy Assessor, the report should be made to the Assessor.
- 2) Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Chief Deputy Assessor may assist the complainant in completing a written statement, or, in the event an employee refuses to provide information in writing, the Chief Deputy Assessor will dictate the verbal complaint.
- 3) To ensure the prompt and thorough investigation of a complaint, the complainant should provide as much of the following information as possible:
 - a. The name, department, and position of the person or persons allegedly causing the harassment, discrimination, or retaliation.

- b. A description of the incident(s) including the date(s), location(s), and the presence of any witnesses.
 - c. The effect of the incident(s) on the complainant's ability to perform the complainant's job or on other terms and conditions of the complainant's employment.
 - d. The names of other individuals who might have been subject to the same or similar harassment, discrimination, or retaliation.
 - e. Any other information the complainant believes to be relevant to the complaint.
- 4) LPAO will investigate **all** complaints. "Informal" complaints or requests to withhold investigation (unless or until a future occurrence) will be treated the same as a formal complaint and investigated immediately.
 - 5) Upon receiving a complaint that violation of this policy may be occurring, the Chief Deputy Assessor will notify the Assessor, unless the complaint involves the Assessor, and review the complaint with LPAO's legal counsel.
 - 6) The investigation will be thorough and include interviews with the complainant, the accused, witnesses, and other individuals possessing relevant information. Records, logs, reports, photos, or other documentation pertinent to the complaint will be reviewed.
 - 7) The investigative process will be memorialized through written statements, or verbal statements that will be recorded.
 - 8) During the investigation, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or administrative leave.
 - 9) Upon conclusion of an investigation, the Chief Deputy Assessor or other person conducting the investigation will submit a written report of the findings to the Assessor and LPAO's legal counsel. If it is determined that a violation of this policy has occurred, the Chief Deputy Assessor will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
 - a. the severity, frequency, and pervasiveness of the conduct;
 - b. prior complaints made by the complainant;
 - c. prior complaints made against the respondent; and
 - d. the quality of the evidence (e.g. firsthand knowledge, credible corroborations).
 If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the Chief Deputy Assessor may recommend appropriate preventive action.
 - 10) The Assessor will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the Chief Deputy Assessor and LPAO's legal counsel, and decide what action, if any, will be taken.
 - 11) Once a final decision is made by the Assessor, the Chief Deputy Assessor will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

Training

LPAO recognizes that implementation of a policy prohibiting discrimination, harassment, and sexually inappropriate behavior in the workplace alone is insufficient to prevent and address such behavior. To support this policy and encourage a culture where employees willingly report concerns, LPAO requires all employees to successfully complete sexual harassment training upon hire and on a continuing basis thereafter. Additional discrimination and harassment training may be required at LPAO's determination.

- All employees shall complete a minimum of one hour of education and training on preventing sexual harassment, as provided by LPAO, during each calendar year of employment. Employees shall send the Office Manager a copy of their certificate of completion of the training.
- All supervisors and any employee designated to accept or investigate a complaint of sexual harassment for LPAO shall receive additional education and training each calendar year.
- All training certificates and records will be maintained by the Administration department on a calendar year basis. These training records shall be public record and available to the public in accordance with the Public Records Law.
- Failure to complete the mandatory training requirements may result in disciplinary action.

Reporting

LPAO will compile an annual report by February 1 of each year containing information from the previous calendar year. The report will include:

- The number and percentage of employees who have completed the mandatory training requirements;
- The number of sexual harassment complaints received;
- The number of complaints which resulted in a finding that sexual harassment occurred;
- The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
- The amount of time it took to resolve each complaint.

The reports shall be public record and available to the public in accordance with the Public Records Law. In addition, LPAO will ensure that its policy against discrimination and sexual harassment, and its complaint procedure, is prominently posted on its website.