

TITLE 10

SPECIAL ORDINANCES, REGULATIONS, RULES, POLICIES, AND BARGAINING AGREEMENTS

SUBTITLE 3 — POLICIES

POLICY 24A

POLICY OF LINN COUNTY PROHIBITING DISCRIMINATORY HARASSMENT

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24A.100 Purpose

Linn County is committed to maintaining a work environment free of unlawful discrimination, including sexual harassment, and will not tolerate discrimination of its employees by any supervisor, coworker, volunteer, vendor, or contractor.

[Adopted 15-019 eff 2/3/15]

24A.200 Definitions

As used in this policy, the term:

(A) “**Discrimination**” means any act or omission which would create a hostile work environment, or exclude any person from employment or promotional opportunities, because of sex, sexual orientation, gender identity, race,

color, ancestry, religious creed, national origin, physical disability, mental disability, medical condition, age, marital status or denial of family care or pregnancy disability leave. This includes, but is not limited to, derogatory comments, slurs or jokes, pictures, cartoons or posters, and actions which result in an employee being offended or insulted because of a protected classification listed above.

(B) “**Sexual harassment**” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, and physical conduct of a sexual nature whenever:

(1) submission to the conduct is made an explicit or implicit condition of employment;

(2) submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or

(3) the harassing conduct unreasonably interferes with an employee’s work performance or creates an intimidating, hostile, or offensive working environment.

[Adopted 15-019 eff 2/3/15]

24A.300 Applicability

The prohibition against discriminatory harassment applies to everyone - including, but not limited to: managers, supervisors, salaried and hourly workers, temporary employees, volunteers, contractors, and vendors. The County will not tolerate discriminatory harassment of any kind by anyone.

[Adopted 15-019 eff 2/3/15]

24A.400 Reporting Discriminatory Harassment

(A) If you believe that you have been the victim of discriminatory harassment, you should report it immediately to either your immediate

supervisor or the Linn County Administrative Officer, pursuant to the County's internal informal complaint procedures as set forth in Title 10, Policy 24, Section 24.710 of the Linn County Code. If your supervisor is the alleged harasser or non-responsive to your complaint, you may report to the next highest supervisor in your office or department.

(B) If you believe that you have been the victim of discriminatory harassment, and your complaint to either your immediate supervisor or the Linn County Administrative Officer has proven ineffective, you may file a written complaint pursuant to the County's internal formal complaint procedure as set forth in Title 10, Policy 24, Section 24.720 of the Linn County Code.

(C) Employees, supervisors, and managers must report any incident of discriminatory harassment they may observe, even if they are not the target or victim of such harassment. Such reports will be handled in the same fashion as complaints by victims of discriminatory harassment.

(D) When a contractor, vendor or other person not employed by the County is found to have engaged in discriminatory harassment against a County employee, the County will advise the person and his or her employer of the County's policy against such harassment, and will take such other action as is appropriate under the circumstances.

[Adopted 15-019 eff 2/3/15]

24A.500 Investigation and Discipline

(A) Any and all complaints and reports of discriminatory harassment will be investigated thoroughly and quickly. Appropriate disciplinary action will be taken against the harassing party, up to and including termination.

(B) The County will also take appropriate action to deter further harassment and to remedy any loss caused by the harassment. You will be advised of the results of the investigation and any action taken.

(C) To the fullest extent practicable, the County will keep complaints and reports of discriminatory and their resolution confidential;

however, the County cannot guarantee complete confidentiality in all circumstances.

[Adopted 15-019 eff 2/3/15]

24A.600 Retaliation Prohibited

The County prohibits retaliation of any kind against anyone for reporting or complaining about discriminatory harassment, and will not tolerate retaliation by supervisors, managers, or co-workers. Any employee who believes they have been subjected to any form of retaliation should immediately report that conduct to their immediate supervisor or the County Administrative Officer.

[Adopted 15-019 eff 2/3/15]

24A.700 Departmental Policies

(A) An individual department may have its own anti-discrimination and harassment policies (especially as they relate to grievance procedure, investigation and documentation) in addition to the policies described in this Policy 24A.

(B) An individual department's policies will control, where such policies are substantively similar to this Policy, and an employee should consult those policies where applicable.

(C) Any questions regarding what policies to follow should be directed to the County Administrative Officer.

[Adopted 15-019 eff 2/3/15]

Statutory References and Other Authorities:

Legislative History of Policy 24A:

Adopted 15-019 eff 2/3/15

Amendments to 05-019:

#1 None
