

County of Inyo Harassment Policy

It is also the policy of the County of Inyo to provide a work environment free from harassment. UNLAWFUL HARASSMENT may take many forms, including:

VERBAL CONDUCT such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations, or comments.

VISUAL CONDUCT such as derogatory posters, cartoons, drawings or gestures.

PHYSICAL CONTACT such as assault, blocking normal movement or interference with work directed at you because of your sex or other protected basis.

THREATS AND DEMANDS to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors.

RETALIATION for having reported the harassment.

This policy applies to all phases of the employment relationship, including recruitment testing, hiring, upgrading, promotion/ demotion, transfer, layoff, termination, rates of pay, benefits and selection for training.

Moreover, it is the stated policy of the County of Inyo to prevent and prohibit misconduct on the job, including sexual harassment or any other type of employee harassment by co-workers, subordinate employees, or supervisors. Any employee found to have acted in violation of the foregoing policies shall be subject to appropriate disciplinary action, including warnings, reprimand, suspension, and/ or discharge.

Employees that are subjected to, or are witnesses to unlawful harassment should immediately report such conduct to Director of Personnel Services. The Director of Personnel Services has full responsibility to receive, investigate and resolve complaints involving violations of the policies stated herein, and to recommend to management the imposition of appropriate sanctions against violators.

GUIDELINES:

1. An employee who believes he or she has been discriminated against by a co-worker, supervisor or "agent of the County should immediately notify his/her supervisor of the facts of the incident or incidents and the names of the individuals involved.
2. If the complaint is against the employee's immediate supervisor, the employee should report it to the next higher level supervisor.

3. A supervisor who is notified of a complaint or otherwise becomes aware of a violation of this policy must immediately contact the Personnel Services Director. Failure to do so may result in disciplinary action up to and including termination.

4. Once an incident has been brought to the attention of management, an investigation will be conducted by the Personnel Services Director or other person designated by the County to determine all the facts surrounding the incident, including, but not limited to, the totality of the circumstances, the nature of the conduct and the context in which the alleged incident occurred. The investigation will be conducted in a timely manner and the findings of such an investigation shall be made no later than 30 days after completion of the investigation.

5. If the complaint is against a customer or vendor, the County will take those steps within its power to investigate and eliminate the problem.

6. If a violation of this policy is found to have occurred, the employee or supervisor who is found to have violated this policy will be subject to discipline, up to and including termination.

7. Persons who believe they have been subjected to unlawful harassment have the legal right to file complaints with the California Fair Employment and Housing Department (DFEH) and/or the United States Equal Employment Opportunity Commission (EEOC). Those agencies are authorized to receive and investigate claims of employment discrimination, including harassment. The DFEH has offices in San Francisco, Los Angeles, Sacramento and other cities. The EEOC has offices in San Francisco and Los Angeles. State and federal law also authorize the filing of civil lawsuits, after claims of discrimination have been filed with the appropriate agency. Remedies for unlawful employment discrimination can include orders of reinstatement, monetary damages, attorneys fees and court costs.

PROHIBITION OF RETALIATION

Both California and federal law prohibit retaliation against any individual who has filed a complaint with either the DFEH or EEOC, who has alleged harassment, who has opposed any unlawful employment practice or has otherwise participated in any investigation, proceeding or hearing conducted by the California or United States agency. Any individual found by the County to have engaged in an act of retaliation shall be subject to disciplinary action up to and including termination.

FALSE CLAIMS

An employee who deliberately makes a false claim or charge or unlawful harassment will likewise be subject to disciplinary action up to and including termination.