

Title: Productive Work Environment/Sexual Harassment & Workplace
Violence
Policy Number: 104
Effective Date: July 1, 2009
Revision Date:
Authorized by: Board of Supervisors

Policy:

It is the policy of Pottawattamie County to promote a productive work environment and not to tolerate verbal, written or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment. Pottawattamie County will ensure that procedures exist to allow complaints of sexual harassment or workplace violence to be dealt with and resolved within Pottawattamie County without limiting any person's entitlement to pursue resolution of their complaint with the relevant statutory authority. Pottawattamie County is committed to the elimination of all forms of harassment.

Comments:

- (1) Employees are expected to maintain a productive work environment that is free from harassing, abusive or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, color, national origin, religion, disability, pregnancy, age, military status, political affiliation, sex, sexual orientation, gender identity or similar legally protected status. Special attention should be paid to the prohibition of sexual harassment and workplace violence.
- (2) Each Department Head and supervisor has a responsibility to keep the workplace free of any form of harassment. No Department Head or 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 employee's terms or conditions of employment.
- (3) Other sexually harassing or offensive conduct in the workplace, whether committed by Department Heads, supervisors, non-supervisory employees, or non-employees, is also prohibited. This conduct includes but is not limited to:
 - (a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - (b) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;

- (c) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
 - (d) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
 - (e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages (such as e-mail, instant messaging, and Internet materials).
- (4) A “hostile environment” is defined as vicious, frequent and reprehensible instances of harassment constituting a “concerted pattern of harassment”. This definition goes beyond casual, infrequent, or isolated incidents. Examples of harassment may include, but are not limited to such actions as racial or ethnic slurs, posting or distribution of derogatory bulletins, pictures or cartoons, or offensive humor.
- (5) Workplace violence/harassment is defined as any verbal, written or physical act intended to assault, intimidate, annoy, threaten, or alarm another employee by a Department Head, supervisor, non-supervisory employee, or non-employee. Workplace violence/harassment is prohibited. This conduct includes but is not limited to:
- (a) Fighting, hitting, pushing, poking, kicking, slapping, grabbing, and other forms of physical battery;
 - (b) Romantic obsessions and stalking;
 - (c) Throwing and/or breaking objects and angry outbursts;
 - (d) Theft, vandalism, and sabotage;
 - (e) Threats, including, verbal, written, or gesticulated;
 - (f) Verbal abuse, name calling, biting sarcasm, or obscene language;
 - (g) Intimidation or bullying;
 - (h) Teasing and practical jokes that cause anger or humiliation.

Any of the above conduct outlined in (3), (4), (5) or other offensive conduct, directed at individuals because of their race, color, sex, sexual orientation, gender identity, national origin, religion, disability, pregnancy, age, political affiliation, military status or other legally protected status also is prohibited.

- (6) **Weapons:** Pottawattamie County prohibits employees as well as members of the general public from entering County property carrying weapons that can be used to commit bodily harm. In the scope of this policy, weapons include explosives, guns, knives with blades over five (5) inches long, or objects that could be used a club such as a baseball bat or night club. Exceptions to this policy are any persons covered under §724.2, of the Iowa Code, "Authority to Possess Offensive Weapons", which authorizes peace officers, members of the armed forces, those in the services of the United States, and Detention Officers to carry weapons legally and those who have received prior written authorization by the County Sheriff.
- (7) Any employee who believes that a Department Head's, supervisor's, other employee's, or member of the general public's actions or words constitute unwelcome harassment has a responsibility for pointing out the harassment and is required to report the harassment to their direct supervisor, Department Head, Human Resources and/or County Attorney.

Any employee who believes he/she is being harassed is encouraged to point out the offensive behavior to the person responsible, and, request that the offensive behavior stop immediately. Any employee who is not comfortable approaching the person responsible for the offensive behavior or whose request to stop was unsuccessful should report the behavior to their supervisor or to the Department Head as soon as possible. The Department Head or supervisor shall notify the Human Resources Director immediately of any sexual harassment or workplace violence complaints. If the employee feels uncomfortable reporting the behavior to their supervisor or Department Head or if the Department Head is responsible for the behavior, the employee should report the behavior to the Human Resources Director and/or County Attorney. Employees should report criminal conduct to law enforcement.

- (8) Employees who observe harassing behavior and/or weapons in the workplace shall report their observations to their supervisor, Department Head or police/911 immediately. The County prohibits any form of retaliation against employees for bringing forth complaints or providing information about harassment. Employees may not file complaints as a means of harassing another employee.
- (9) Complaints of harassment will be investigated, unless special procedures are otherwise recommended by the County Attorney. All complaints of harassment will be investigated promptly, impartially, and in a confidential manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to the parties involved.

- (10) Any employee, supervisor, or Department Head who is found to have violated the harassment policy will be subject to appropriate disciplinary action, up to and including termination.