

CALAVERAS COUNTY RESOURCE CONSERVATION DISTRICT SEXUAL HARASSMENT POLICY

September 20, 2018

Calaveras County Resource Conservation District (CCRCDD) prohibits harassment of one employee

by another employee, supervisor or third party for any reason based upon an individual's race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth;

or related medical conditions; age; disability or handicap; citizenship status; service member status; or any other category protected under federal, state, or local law.

In California, the following also are a protected class: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics;

genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; perceived pregnancy; actual or perceived gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; lawful conduct occurring during nonworking hours away from company premises; and age [40 or over].

Purpose

The California Fair Employment and housing Act ("FEHA") prohibits all employers from harassing any employee based on a protected category. This rule applies to employers, supervisors, and coworkers.

Harassment occurs when a work environment is made to be hostile, offensive, oppressive, or intimidating. Harassment is unlawful when it is motivated by a protected characteristic. This kind of environment deprives its victim of their statutory right to work in a place free of discrimination.

To be actionable, harassment must be frequent or severe. A single offensive comment will usually not meet this test.

Harassment can take a variety of forms. The harassment may involve physical, oral, or written conduct that is offensive or derogatory—so long as it is motivated by the employee's protected characteristic.

Policy and Procedure

The district prohibits harassment based on a protected category against job applicants, employees, unpaid interns, temporary employees, volunteers, contractors, or individuals working under an appointment or as an apprentice.

View protected categories in the district's anti-discrimination policy.

Formatted: Font color: Custom Color(RGB(35,31,32))

District staff can discuss issues with their immediate supervisor or one of the contacts listed in this policy.

Violation of this policy will result in disciplinary action, up to and including immediate discharge. The following list constitutes harassing behavior or conduct prohibited by this policy:

- Offensive remarks, comments, jokes, slurs, threats, or verbal conduct
- Offensive pictures, drawings, photographs, figurines, writings, or other graphic images
- Conduct, or communications, including text messages, instant messages and websites
- Voicemails, social media postings, e-mails, faxes, and copies
- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved
- Offensive physical conduct, including touching and gestures

The district prohibits retaliation including threatening an individual or taking an adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

District management is required to follow this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

Immediately report conduct that appears to violate this policy. Due to the very serious nature of harassment, discrimination and retaliation, report concerns to the executive director, Mary Cole.

If the individual is not satisfied after speaking with the executive director, or if the individual cannot speak to the executive director, the individual may discuss the concern with board president, Julia Marsili.

If an ~~individual employee~~ makes a report to any of these members of management and the manager either does not respond or does not respond in a manner the ~~individual employee~~ deems satisfactory or consistent with this policy, the individual is required to report the situation to one of the other members of management designated in this policy to receive complaints.

~~Individuals You~~ should report any actions which may violate this policy no matter how slight the actions may seem. ~~The district~~~~We~~ will investigate the report and then take prompt, appropriate remedial action. The district will protect the confidentiality of ~~individuals~~ reporting suspected violations to the extent possible consistent with the investigation.

~~Individuals~~~~You~~ will not be penalized or retaliated against for reporting improper conduct, harassment discrimination, retaliation, or other actions that ~~you believe~~ may violate this policy.

The district is serious about enforcing ~~the district's~~ ~~our~~ policy against harassment.

Persons who violate this or any other district policy are subject to discipline, up to and including discharge. The district cannot resolve a potential policy violation unless ~~it is reported, we know about it.~~ ~~Individuals You~~ are responsible for reporting possible policy violations to ~~the district to allow it to us so that we can~~ take appropriate actions to address ~~your individuals'~~ concerns.

~~Bob Dean, President~~
~~Board of Directors~~
~~Calaveras County Resource Conservation District~~
~~2~~
~~CC-RCD POLICY 9.20.18~~

~~Revised 6/29/202~~