



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Human Resources

Subject: Sexual Harassment Policy and Procedures

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Prepared By: Human Resources Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

POLICY: SEXUAL HARASSMENT POLICY AND PROCEDURES

I. POLICY

Sexual Harassment is strictly forbidden. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or,
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment; or,
- D. Such conduct has the purpose or effect of unreasonably creating an intimidating, hostile, or offensive environment for a customer or third party.

II. PROCEDURES

- A. EMPLOYEES.** An Employee who believes that he or she is the victim of sexual harassment should promptly take the following steps: (Amended 5/17/2010)
 - 1. The employee should request that the person cease the harassment immediately by identifying the offensive conduct.

2. If the harassment continues or if the employee believes an employment consequence may result from the request to cease, the employee should, no later than the end of the next business day, report the behavior to the immediate supervisor.
3. If the employee is not comfortable in reporting the behavior to the immediate supervisor, he/she may report the behavior to a supervisor higher in the chain of command, or he/she may go directly to the Department Head.
4. If the employee is not comfortable in reporting the behavior within the department, he/she may report the behavior to the Human Resources Director. The employee must, either orally or in writing, describe the sexually harassing behavior with sufficient and specific detail. (Amended 5/17/2010).
5. An employee who witnesses a violation of this policy must report the behavior to his/her immediate supervisor, Department Head or the Human Resources Director. Failure to report any witnessed violation of this policy may result in disciplinary action.
6. It is not necessary for the employee to take all of these steps. If an employee feels that any of the steps would not be appropriate because of the circumstances surrounding the sexual harassment, the employee may at any time report the behavior directly to the Human Resources Director. If an employee is unsure whether behavior constitutes sexual harassment, he/she should confer with the Human Resources Director.

B. **SUPERVISORS.** It is the goal of all supervisors to assure that their employees are adequately informed about the City's Sexual Harassment Policy, and that their employees are able to work in a harassment free environment.

1. When a supervisor receives a complaint of sexual harassment, it should be given immediate attention, generally within 24 hours and be reported immediately to the Human Resources Director and the Department Head. (Amended 5/17/2010).
2. Supervisors must conduct a preliminary investigation into all complaints of sexual harassment.
3. Supervisors should treat all complaints of sexual harassment, and the investigation into the allegations, remain confidential.

4. Failure to maintain the confidential nature of an investigation may result in disciplinary action.

C. INVESTIGATION AND DISCIPLINE

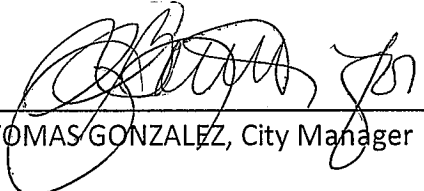
1. If the investigation reveals that the complaint is substantiated, prompt disciplinary action or other appropriate measures designed to stop the harassment immediately and to prevent its recurrence, will be taken.
2. During all investigations relating to sexual harassment, the confidentiality of the employee, and all those involved in the investigation will be strictly respected, to the extent allowed by law
3. Supervisors should treat all complaints of sexual harassment, and the investigation into the allegations, remain confidential.
4. Failure to maintain the confidential nature of an investigation may result in disciplinary action.

III. SCOPE

This policy applies to all City employees and officials, including paid and unpaid interns and volunteers, as well as to applicants for employment with the city, visitors and others conducting business on City campuses and properties.

In addition to incidents that occur on a City campus or property, the City may investigate and take disciplinary action in response to incidents that take place during official functions of the city, or incidents that have a substantial connection to the interest of the City, regardless of the location in which the incident(s) occur.

APPROVED BY:



TOMAS GONZALEZ, City Manager

DATE: Sept. 22, 2015