

Number: P2.08	Section: Personnel	Calcasieu Parish Sheriff's Office  General Order
Title: Sexual Harassment		
Effective Date: November 1, 2001	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended	Page(s) 1 of 3

POLICY

The United States Supreme Court has ruled that sexual harassment is unwelcome verbal or physical conduct of a sexual nature that creates a hostile, abusive, or intimidating work environment. The policy of the Calcasieu Parish Sheriff's Office (hereinafter referred to as CPSO) is to maintain a work force free from sexual harassment and intimidation. This type of conduct undermines the integrity of the employment relationship, upsets morale, and interferes with the productivity of its victims and co-workers. Sexual harassment will be considered employee misconduct and **will not be tolerated**.

PURPOSE

To maintain a healthy work environment, and to provide procedures for reporting, investigating, and resolving all complaints of sexual harassment.

Definition of Sexual Harassment (including various forms)

Sexual harassment is a form of sex discrimination that is a violation of [Title VII](#) of the 1964 Civil Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made whether explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) 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.

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Verbal harassment includes sexually vulgar language, jokes of an offensive sexual nature, sexual propositions or threats, remarks about an individual's anatomy, derogatory comments about gender, or insulting noises or whistling. Nonverbal harassment is the distribution of written or graphic sexual materials, sexually oriented magazines or posters, displaying nude pictures, or any other depictions of a sexual nature.

Physical harassment includes touching in a manner that is unwelcome, invading personal privacy, or making threats to take such actions.

The victim, may be female or male. The victim does not have to be of the opposite sex. The victim does not have to be the person harassed, but could be anyone affected by the offensive conduct.

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The harasser, may be female or male. The harasser may be an employee's direct supervisor, a supervisor in another division, a co-worker, or non-employee (victim, vendor, or customer).

PROCEDURE

I. Sexual Harassment Complaints

A. Reporting and Investigations

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1. If an employee believes he or she is being harassed, or has a reason to believe that sexual harassment involving any CPSO personnel is occurring or has occurred, the alleged harassment should be promptly reported to the Human Resources Director who shall serve as the Title VII and Title IX Coordinator for the CPSO. The Human Resources Director, upon receipt of a complaint, shall forward it to the Chief or Assistant Chief Deputy who shall initiate and Internal Affairs Investigation.
2. The Human Resource Director, in the capacity of CPSO Title VII and Title IX Coordinator, shall be kept informed as to the progress of the investigation so that the complainant can correspondingly be provided appropriate information regarding the progress of the investigation.

B. Investigation

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1. The Internal Affairs Investigator (hereinafter referred to as "Investigator") shall interview the complainant, alleged victim, person accused, and any other person considered relevant to the investigation.
2. The Investigator shall attempt to collect all relevant evidence.
3. The investigation shall be completed in a timely manner; without any unreasonable delay. The Investigator will keep the Coordinator up to date regarding the investigation progress.
4. When the investigation is complete a report shall be provided to the Sheriff's designee and the Coordinator. All documentation and finding of the investigation shall be maintained in a confidential manner in the Internal Affairs Division.

C. Written Disposition

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1. If the findings from the investigation determine that sexual harassment occurred, corrective action designed to stop the harassment and deter future harassment shall be taken, which may include written warnings or reprimands, demotions, transfers, reassignment, suspension, or termination.
2. The complainant, alleged victim, and person accused shall be notified in writing of the findings of the investigation, whether harassment was determined to have occurred, and whether any corrective action was taken.

D. Retaliation

1. Employees who file harassment complaints or cooperate in the investigation of such complaints shall not be retaliated against or be subjected to adverse job actions. Complaints of such retaliatory actions should be directed to the staff person who conducted the original investigation. These charges shall be promptly investigated.

2. Retaliation is a violation of the law and is a serious offense. Employees who retaliate against victims or witnesses involved in a complaint investigation or hearing regarding sexual harassment shall be subject to disciplinary action up to and including termination.

E. Administrative Options

1. Thorough investigation of harassment complaints may not yield substantiated findings or merit disciplinary action. However, the continued presence of the complainant and the accused in the same working environment could lead to an atmosphere of tension and instability. In such cases the administration may affect lateral transfers.
2. The complainant or the accused may request a lateral transfer. A reasonable effort shall be made to honor the request. Such a request will be considered voluntary.
3. The accused and the complainant may both be reassigned if the administration considers such a move necessary.

II. Employee Awareness

A. Available Information and Training

1. Summary information regarding discrimination/harassment is included in the CPSO Employee Handbook under the Equal Opportunity/Affirmative Action section.
2. All new employees shall receive training regarding the Sexual Harassment Policy during processing/orientation before they begin work.
3. Training regarding the Sexual Harassment Policy shall be included in the required training for all employees during the calendar year.
4. The Human Resources Department shall be responsible for posting EEOC required notifications about sexual harassment. These notices should be posted in a manner consistent with EEOC guidelines and Louisiana law.

BY ORDER OF:

TONY MANCUSO, SHERIFF OF CALCASIEU PARISH

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