

## **CITY COURT OF LAFAYETTE**

### **ANTI-HARASSMENT AND ANTI-DISCRIMINATION**

#### **1. POLICY**

- 1.1** The City Court of Lafayette is committed to maintaining a work environment that is free from discrimination where employees are able to devote their full attention and best efforts to the job. The expectation is that managers, supervisors and employees will create and maintain a work environment that is respectful of all persons.
- 1.2** It is the policy and practice of City Court of Lafayette to recognize and respect each other as an individual. Harassment, either intentional or unintentional, has no place in the work environment. Accordingly, the City Court does not authorize and will not tolerate any forms of harassment and/or discrimination of or by any employee based on race, color, religion, ancestry, national origin, age (over 40), sex, sexual orientation, marital status, political affiliation, veterans' status, disabilities (physical and mental), actual or perceived sexual orientation or gender identity and medical condition (including cancer and HIV status).
- 1.3** The term "harassment and/or discrimination" includes, but is not limited to, disparate treatment, offensive language, jokes, or other verbal, graphic or physical conduct relating to an employee's race, sex, religion, color, national origin, age, disability, sexual orientation, gender identity, or other class protected by law, which interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- 1.4** All employees are prohibited from retaliating or threatening to retaliate in any way against anyone who has voiced a complaint or participated in an investigation relating to harassment or discrimination. Harassment or discrimination constitutes a disciplinary infraction that shall be dealt with through the appropriate measures, up to and including discharge.

#### **2. ROLES AND RESPONSIBILITY**

- 2.1** Maintaining a harassment-free or discrimination-free workplace is every employee's responsibility.
- 2.2** Managers and supervisors are responsible for ensuring a harassment-free and discrimination-free workplace and adherence to this policy. This includes reporting all instances or complaints of harassment or discrimination to Administration, taking appropriate preventive or corrective action, and stopping any harassment or discrimination of which they are aware.
- 2.3** Each employee has a responsibility to create and support a workplace that is free of harassment or discrimination by complying with this policy and by ensuring their behavior meets acceptable standards. Employees must refrain from discriminatory or harassing behavior, and employees are encouraged to report any observed harassment or discrimination to Administration.
- 2.4** Each public servant shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his public employment or term of office, as the case may be.

#### **3. TYPES OF HARASSMENT OR DISCRIMINATION**

- 3.1** Harassment or discrimination may include, but is not limited to, objectionable conduct, comments or displays made on either a one-time or continual basis that demeans, belittles, or causes humiliation to a person and that is known, or reasonably ought to be known, to be unwelcome.

- 3.2 Sexual harassment may include, but is not limited to: (a) physical assaults or unwelcome physical conduct that is sexual in nature; (b) unwelcome sexual advances or comments or requests for sex or sexual activities concerning one's employment or advancement, regardless of whether they are accompanied by promises or threats; (c) sexual displays or publications such as calendars, cartoons or graffiti; or (d) other verbal or written communication or physical conduct of a sexual nature which interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- 3.3 Examples of sexual harassment includes sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented "kidding," "teasing" or "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body; or reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.
- 3.4 The City Court of Lafayette regards all such conduct as a violation of this policy, regardless of whether submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- 3.5 Harassment or discrimination based on other protected classes also is expressly prohibited. It includes any verbal, written, or physical act in which race, religion, national origin, actual or perceived sexual orientation or gender identity or other protected class is used or implied in a manner which interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- 3.6 Examples of other harassment or discrimination include jokes which include reference to the protected class, the display or use of objects or pictures which adversely reflect on a person's protected class, or use of language which is offensive due to a person's protected class.

#### **4. HOW TO REPORT INSTANCES OF HARASSMENT**

- 4.1 All employees have the right to file a complaint concerning harassment or discrimination. Employees who feel they have been harassed or discriminated against should immediately make their objections known to the alleged harasser.
- 4.2 If the employee feels that the above step is not appropriate, or the first step fails to resolve the situation, the employee may submit a complaint with any one of the following:
- a. Immediate supervisor
  - b. Court Administrator or Judges of the City Court of Lafayette
- 4.3 Employees witnessing harassment or discrimination are encouraged to take action to bring the incident to the attention of the Court Administrator or Judges of the City Court of Lafayette.
- 4.4 When submitting a complaint about harassment or discrimination, the complainant should be able to specifically identify the incidents in question, the dates (if possible), the name(s) of the person(s) accused of wrongdoing, any witnesses, and a description of exactly what happened.
- 4.5 All employees, supervisors, division/department heads are expected to treat all complaints seriously, immediately and confidentially, and to give an investigation top priority.

#### **5. HOW COMPLAINTS WILL BE INVESTIGATED**

- 5.1 The City Court of Lafayette will investigate all good faith allegations of harassment or discrimination. Every effort will be made to preserve confidentiality while still thoroughly investigating the matter.

- 5.2** The Investigative Officer may recommend remedial measures based upon the results of the investigation, and management will consider such recommendations.
- 5.3** A non-employee's commission of acts of harassment or discrimination toward an employee will result in appropriate remedial action by the City Court of Lafayette, depending upon the nature and severity of the misconduct. Possible remedial steps may include letters of objection, refusal to allow the alleged harasser on the City Court of Lafayette premises, or some other appropriate action.
- 5.4** When a complaint is made, the Investigative Officer shall have the duty of immediately bringing all harassment or discrimination and retaliation complaints to the confidential attention of the Court Administrator or Judges of the City Court of Lafayette of the complainant/alleged harasser.
- 5.5** An effective anti-harassment/anti-discrimination policy requires the support and cooperation of all City Court of Lafayette employees. City Court of Lafayette employees who engage in harassment, discrimination or retaliation, or who fail to cooperate, or who knowingly give false, misleading statements during administrative investigations shall be subject to disciplinary action in accordance with PPM "Conditions of Employment," Section 4. In addition, employees in authority who refuse to implement remedial measures, obstruct the remedial efforts of other employees, and/or retaliate against harassment or discrimination complaints or witnesses shall be subject to disciplinary action up to and including discharge.

**6. NOTIFICATION AND DISPOSITION**

- 6.1** As soon as practicable after a decision is made, the City Court of Lafayette management shall separately notify the complainant and the alleged harasser of the outcome of the investigation. Only the complainant, the alleged harasser, and those with a need to know, will be told of the final disposition of the complaint.
- 6.2** If either the complainant or the alleged harasser is dissatisfied with the processing of the complaint, the decision reached or the remedial action taken, if any, that person may submit a written statement of his/her position to the Court Administrator or Judges of the City Court of Lafayette.
- 6.3** The above-listed persons will review the investigative file, conduct additional investigations, if in their opinions such is necessary, and will determine whether the action taken, if any, was appropriate. The person requesting the appeal will be notified of the results of this review as soon as practicable, but no later than ten (10) working days from receipt of the complaint.