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HUMAN RESOURCES  
***PROHIBITION AGAINST HARASSMENT, SEXUAL HARASSMENT  
AND DISCRIMINATION POLICY***  
POLICY Number: B-011

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**24 January 2013**

1. **AUTHORITY:** Director of State Civil Service as contained in La. R.S. 36:54; Section 703 of Title VII of the Civil Rights Act of 1964.
2. **PURPOSE:** To establish the department's policy on prohibition against harassment, sexual harassment and discrimination.
3. **APPLICABILITY:** This policy shall apply to all employees of State Civil Service.
4. **POLICY:** State Civil Service has taken and is continuing to take affirmative steps to maintain a secure workplace free from harassment, sexual harassment, intimidation and discrimination for all its employees. Engagement by any State Civil Service employee in any form of sexual harassment, intimidation or unlawful discrimination is strictly prohibited and will subject that employee to appropriate disciplinary action, up to and including termination.
5. **DEFINITIONS:**
  - A. **Sexual harassment:** exists when there are unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
    - submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
    - submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting any individual, or
    - such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
  - B. **Harassment:** is deliberate or repeated conduct relating to a person's sex, race, color, religion, national origin, age, disability, genetic information or political affiliation which unreasonably interferes with the employee's work performance or creates an intimidating work environment. Prohibited conduct includes (but is not limited to):

- unwelcome verbal comments, physical gestures or communication by mail, telephone or computer
- derogatory personal comments, using a threatening tone of voice, cursing or using offensive language

**C. Discrimination:** is conduct which indicates any favoritism, preference, prejudice, limitation, specification or differentiation based on a person's sex, race, color, religion, national origin, age, disability, genetic information or political affiliation, which is impermissible under federal or state law.

## 6. PROVISIONS:

- A.** Sexual harassment violates Section 703 of Title VII of the Civil Rights Act of 1964, as amended.
- B.** The Human Resources Specialist will serve as the EEO Officer for State Civil Service.

## 7. RESPONSIBILITIES OF EMPLOYEES AND CONFIDENTIALITY:

- A.** Anyone who knows or reasonably believes that harassment, including sexual harassment or discrimination, is occurring or has occurred is obligated to inform his Division Administrator, the EEO Officer, the Deputy Director, or the Director immediately.
- B.** Charges of sexual harassment, harassment, discrimination or intimidation are serious charges. Employees should report incidents as described above. However, due to the seriousness of these charges and the potential damage that could be done to those who are charged, employees shall refrain from making casual, misleading or false charges of such behavior.
- C.** Supervisors are also expected to ensure that employees are aware that harassment, sexual harassment, and discrimination are prohibited in this department. Supervisors who observe incidents of harassment, sexual harassment or discrimination MUST take immediate corrective action without waiting for a victim complaint. The supervisor MUST immediately report any such incidents to his Division Administrator, the EEO Officer, the Deputy Director or the Director.
- D.** Employees are responsible for cooperating fully with any investigation of a complaint of harassment, sexual harassment, or discrimination. Information

related to complaints and investigations will remain confidential to the fullest extent possible. Employees cooperating in an investigation shall maintain the confidentiality of the investigation to protect the reputations of all involved.

- E. No employee who makes a good faith complaint under this policy, or who participates in an investigation of a charge made under this policy, will be adversely affected because of his/her complaint or participation.
- F. Senate Resolution 107 requires each state agency to offer one hour of education and training on sexual harassment on a yearly basis. The online course **Preventing Sexual Harassment** has been created to provide an option for state agencies to fulfill the requirements of Senate Resolution 107. Employees can access this training through the LEO system.

## 8. PROCEDURES:

- A. If you feel that you have been subjected to sexual harassment or any other harassment or unlawful discrimination or intimidation, you should do the following:
  - continue to report to work;
  - inform the person who has offended you that their actions are inappropriate if you feel secure in doing so;
  - document the occurrence(s) with very specific facts, including names, dates, times, places, witnesses, etc.; and
  - report the action to your Division Administrator, the EEO Officer, the Deputy Director or the Director immediately.
- B. If the harassment continues after you have followed the procedure outlined in Procedure A above, you have the right to file a formal complaint. Your Human Resources Office will advise you of the procedures.

- 9. **EXCEPTIONS:** The Director of State Civil Service may grant an exception to any provision of this policy, provided such exception shall not be in conflict with Civil Service Rules and Regulations, state and/or federal law.

s/Shannon S. Templet  
Director