



Jackson Parish Police Jury

Sexual Harassment Policy

Adopted by the Jackson Parish Police Jury effective 12/9/2019

PURPOSE: All Police Jury employees are entitled to a workplace free of unlawful harassment by management, supervisors, co-workers, citizens, and vendors. Police Jury employees are also prohibited from harassing citizens, vendors, and all other third parties. This policy is to define sexual harassment and other unlawful harassment and to outline the responsibilities of supervisors and employees when this matter is encountered. It is the policy of the Police Jury to maintain a respectful work and public service environment. The Police Jury prohibits harassing or offensive behavior by or towards any employee or non-employees and will not tolerate any form of sexual or other unlawful harassment. Any employee or officer of the Police Jury who engages in such behavior will be subject to disciplinary action, up to and including termination of employment.

Sexual harassment and discrimination in the workplace are prohibited by federal law through the Civil Rights Act of 1964 and by state law through La. R.S. 23:301 et seq. These laws prohibit both quid pro quo harassment, which arises when consent to sexual demands is made an express or implied condition of employment, and hostile work environment harassment, which arises when the workplace is permeated with discriminatory intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the victim's employment and created an abusive working environment.

DEFINITIONS:

A. Sexual Harassment

One form of unlawful discrimination is sexual harassment. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- 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.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Conduct prohibited by this policy includes, but is not limited to sexual advances; requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, sexual preference, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

B. Other Prohibited Harassment

In addition to the Police Jury's prohibition against sexual harassment, harassment based on any other legally protected characteristic is also strictly prohibited. This means that verbal or physical conduct that singles out, denigrates, or shows hostility or aversion toward someone because of race, religion, color, national origin, age,



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disability, genetics, veteran status, citizenship, or any other characteristic protected by law is also prohibited. Prohibited conduct includes, but is not limited to, epithets, abusive words, slurs, and negative stereotyping; threatening, intimidating, or hostile conduct; denigrating jokes and comments; and writings or pictures that single out, denigrate, or show hostility or aversion toward someone based on a protected characteristic. Conduct, comments, or innuendoes that may be perceived by others as offensive are wholly inappropriate and are strictly prohibited. This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via facsimile, e-mail, and/or other electronic devices, social media, and/or the Internet. Harassment of any nature will not be tolerated. This policy applies to Police Jury employees, citizens, vendors, and other visitors to the workplace.

PROCEDURES:

A. Mandatory Reporting

1. The Police Jury requires that employees report all perceived incidents of harassment, regardless of the offender's identity or position. Any employee who observes or otherwise learns of possible harassment in the workplace or who feels that harassment has occurred or has been subjected to conduct prohibited by this policy must report it immediately to:

- the Department Superintendent; or
- the Secretary-Treasurer; or
- the Police Jury President (or designee)

2. Any employee, supervisor, or Department Superintendent who becomes aware of possible conduct prohibited by this policy must immediately advise the Secretary-Treasurer.

3. Under this policy, an employee may report to and/or contact the Secretary-Treasurer directly, without regard to the employee's normal chain of command. All concerns/questions should be addressed to:

Jackson Parish Police Jury
Attention: Secretary-Treasurer
500 East Court Street, Room 301
Jonesboro, LA 71251
phone # 318-259-2361
administration@jppj.org

B. Investigation

1. **All** reports of prohibited conduct will be investigated promptly by management in as confidential a manner as possible. In some instances, an outside investigator may be retained to conduct the investigation on behalf of the Police Jury. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have additional relevant knowledge. All employees are required to cooperate with the investigation.
2. "Informal" complaints or requests to withhold investigation (unless or until a future occurrence) will be treated the same as a formal complaint and investigated immediately.
3. To prevent further occurrences or to preserve the integrity of the investigation, temporary reassignment, transfers, forced leave or other personnel actions permissible under the Civil Service Rules may be utilized.



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4. The investigation will be thorough and include interviews with the complainant, the accused, witnesses and other individuals possessing relevant information. Records, logs, reports, photos, or other documentation pertinent to the complaint will be reviewed.
5. The investigative process will be memorialized, thus requiring that all involved prepare written statements or provide verbal statements that will be recorded.
6. Persons called upon to participate in the investigation are required to answer all questions truthfully and cooperatively. Employees do not have the option of remaining silent or declining to be involved.
7. The investigative process will be conducted expeditiously and professionally, with appropriate emphasis on the rights of all involved.
8. To the extent allowed by law, the investigative process will be conducted in a confidential manner, with only those in a need-to-know position involved. Employees who are called on to participate will be instructed that the complaint and all information provided during the investigation are to remain confidential.
9. In no event will information concerning a reported incident be released by the Police Jury to any third party or to anyone within the Police Jury who is not directly involved in the investigation. Any breach of this will be grounds for disciplinary action, up to and including termination of employment.
10. An individual believed to be unjustly charged with sexual or other unlawful harassment will be afforded every opportunity to offer and present information in defense of the reported incident.
11. Should the Secretary-Treasurer or the Police Jury Secretary-Treasurer's Office be the subject of this investigation, the Police Jury President will assign the appropriate investigative procedure(s). Should the Police Jury President and/or the Juror(s) be the subject of this investigation, the employee will contact the Secretary-Treasurer, who would be authorized to notify the Police Jury Attorney for guidance on the investigative procedure(s).
12. Upon completion of the investigation, the Secretary-Treasurer will apprise management of the outcome and recommendations for resolution. The complaining employee and accused will be apprised of the outcome of the investigation, with appropriate emphasis on the rights of all involved.
13. Nothing herein will prevent the Secretary-Treasurer from taking direct and immediate action, unless the Secretary-Treasurer is the accused or the complainant in the case.

C. Responsive Action

ADJUDICATION CLASSIFICATIONS: The following are the disposition classifications to be used in the adjudication report; each separate allegation must be classified individually.

- NOT SUSTAINED: The investigation failed to prove the allegation(s)
- EXONERATED: The allegation in fact did occur but the actions of the employee were justified, proper, and in conformance with the Police Jury policy and procedure(s).
- UNFOUNDED: The allegation could not be validated to have occurred.
- SUSTAINED: The investigation substantiated the allegation, which was determined to be misconduct.



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MISCONDUCT NOT BASED ON THE COMPLAINT (MNBC) during the investigation of the personnel complaint, allegations or misconduct that are discovered which are not specifically alleged in the original complaint, will be treated as separate, individual allegations and separately investigated similar to the above. The final classification would be:

- MNBC – NOT SUSTAINED
- MNBC – EXONERATED
- MNBC – UNFOUNDED
- MNBC – SUSTAINED

1. Any employee found, after appropriate investigation, to have engaged in sexually inappropriate behavior will be disciplined in accordance with applicable law and the Civil Service Rules. Such action may include counseling, reprimand, suspension, demotion, reduction in pay or termination.
2. In addition to corrective action, other appropriate measures, including follow-up inquiries and re-training, will be utilized to ensure that the inappropriate behavior does not recur.
3. Regardless of the outcome, the complainant has the option of pursuing a claim under state or federal law. Initiation of such a claim is not dependent upon the outcome nor completion of the Police Jury's administrative investigation.

D. Retaliation Prohibited

EMPLOYEES HAVE THE RIGHT TO BE FREE FROM RETALIATION FOR PARTICIPATION IN SEXUAL AND OTHER PROHIBITED HARASSMENT PROCEDURES.

1. Any employee making a good faith complaint of sexually inappropriate behavior will be protected from retaliation, reprisal and harassment. Likewise, any employee providing information or otherwise participating in the investigation of such a complaint will be protected from retaliation, reprisal and harassment. Acts of retaliation must be reported immediately as set out above, and will result in disciplinary action, up to and including termination.
2. If a complaint is made and the investigation reveals that retaliation, reprisal or harassment has occurred against a complaining employee or anyone participating in the investigative process appropriate, severe disciplinary action will be taken, including the possibility of termination.

POLICE JURY RESPONSIBILITIES

- A. Department Superintendents will strive to maintain a workplace free from sexual and other unlawful harassment.
- B. Department Superintendents will discuss this policy with all their employees.
- C. Department Superintendents and supervisors shall not enter into any type of romantic or sexual relationship with staff members under their supervision. Such relationships may be potentially detrimental to the working environment, may be deemed inappropriate and unacceptable, and may constitute grounds for disciplinary action, up to and including termination of employment, of all appropriate parties involved.



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- D. Annually, the Police Jury will provide sexual harassment and other unlawful harassment training to Police Jury employees.

TRAINING:

The Police Jury recognizes that implementation of a policy prohibiting sexually inappropriate behavior in the workplace alone is insufficient to prevent and address such behavior. To support this policy and encourage a culture where employees willingly report concerns, the Police Jury requires all employees to successfully complete training on this topic upon hire and on a continuing basis thereafter. At a minimum, the Police Jury requires the following training for its employees:

1. Upon hire, all new employees must complete the agency onboarding process which contains a copy of this policy and covers the contents of the policy in detail. Superintendents are required to ensure that the onboarding process is completed within 30 days of hire thereby insuring that the new employee has reviewed the contents of this policy.
2. On an annual basis, all employees are required to complete an annual training course on sexual harassment. Certification of successful completion will be documented through the Police Jury Administrative Department.
3. Within 30 days of attaining a supervisory position, all new supervisors are required to complete a training course on sexual harassment. Certification of successful completion will be documented through the Police Jury Administrative Department.

FEDERAL AND STATE LAWS:

This policy establishes a procedure to administratively report and address complaints of sexually inappropriate behavior. This policy is intended to supplement rather than replace or supersede the private and/or statutory procedures regarding sexually inappropriate workplace behavior available to employees under state and federal law, including Title VII of the Civil Rights Act and La. R.S. 23:331 et seq. Employees should be aware that there are certain procedures and time delays, including the filing of a complaint with the Equal Employment Opportunity Commission (EEOC) or the Louisiana Commission on Human Rights (LCHR), which must be satisfied prior to initiating civil litigation regarding inappropriate workplace sexual behavior.

For more information or to initiate a claim under federal or state law, employees are referred to the EEOC and the LCHR:

- EEOC
800-669-4000 (voice)
504-589-2958 (TDD)
504-595-2844 (fax)
<https://www.eeoc.gov>

- LCHR 225-342-6969 (voice)
888-241-0859 (TDD)
225-342-2063 (fax)
<http://gov/page/lchr>



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VIOLATIONS

Any employee, regardless of rank or status, found to have violated the prohibitions of this policy will be subject to disciplinary action, up to and including termination. After investigation and satisfaction of due process requirements, corrective action may be imposed for the following:

- Failure to comply with mandatory training requirements
- Failure by a supervisor or manager to timely report a complaint of sexually inappropriate behavior
- Failure to participate in or cooperate with the investigative process
- Providing false information or withholding information during questioning
- Filing a false, malicious, or frivolous complaint
- Harassment, reprisal, or retaliation towards a complainant or anyone involved in the investigative process

Any employee, regardless of rank or status, who intentionally fails to properly and timely report sexually inappropriate workplace behavior will be subject to disciplinary action, up to and including termination.

Any employee found to have intentionally or maliciously falsely accused another of sexually inappropriate workplace behavior will be subject to disciplinary action, up to and including termination. This prohibition is not intended to discourage employees from filing good faith complaints of behavior proscribed by this policy.

QUESTIONS/COMMENTS

This policy shall remain available to employees for review at all times on the Jackson Parish Police Jury website (jacksonparishpolicejury.org). Notices related to workplace harassment and discrimination are conspicuously posted at Police Jury work locations throughout the parish.

Questions or comments concerning sexual harassment, sexually inappropriate behavior or the interpretation or enforcement of this policy should be addressed to the Secretary-Treasurer. To the extent possible, such inquiries will be maintained in strict confidence. Employees are reminded that complaints will be appropriately investigated notwithstanding the employee's request that no action be taken or that the investigative process be delayed.