



Cherie Lott Caldwell Parish Clerk of Court

SEXUAL HARASSMENT POLICY

Sexual harassment is one form of unlawful discrimination/ harassment and shall not be tolerated. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature constitutes sexual harassment when the conduct explicitly or implicitly affects an individual's employment or holding of office, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Description and Examples of Sexually Inappropriate Conduct:

Sexual harassment on the job may take several forms, including:

- unwelcome sexual flirtations, advances, propositions, or gestures;
- requests for sexual favors;
- unwelcome or offensive touching;
- continued or repeated verbal abuse of a sexual nature or based on gender;
- verbal harassment, such as jokes and innuendoes;
- graphic, verbal comments about an individual's body;
- the display of pornographic or sexually suggestive materials, or degrading materials relating to a person's protected status, including materials displayed using electronic communication resources (such as internet, intranet, voice mail or e-mail system);
- jokes or cartoons of a sexual nature on display or distributed;
- sexual stereotyping based on gender or sex;
- offensive comments, displays, jokes or cartoons concerning an individual's sex, gender, sexual orientation or preference, that are not necessarily sexual in nature.

Other Forms of Harassment:

The principles for defining sexual harassment in the workplace apply as well to harassment based on other protected categories. More specifically, it is a violation policy to engage in conduct with the purpose or effect of substantially interfering work environment or creating a hostile work environment because of or on a basis of an employee's protected status, including race, color, religion, age, national origin, disability, citizenship status, veteran status, pregnancy, or any other protected status under federal or state law.



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Reporting and Complaint Procedure:

All public servants have an obligation to contribute to a harassment and discrimination free workplace and are required to take immediate action to report harassment or discrimination at the first instance of any conduct which results in:

- feeling uncomfortable in a situation because of someone's harassing, sexually suggestive, inappropriate, abusive or discriminatory conduct;
- witnessing or overhearing harassing, sexual suggestive, inappropriate, abusive or discriminatory conduct;
- feeling that another's harassing, sexually suggestive, inappropriate, abusive or discriminatory conduct is improper and violates this policy;
- believing that another's harassing, sexually suggestive, inappropriate, abusive or discriminatory behavior impairs their ability to do their job; or
- wanting the harassing, sexually suggesting, inappropriate, abusive or discriminatory conduct to stop.

Any employee or individual at the workplace (including customer, client, contractor, vendor, etc.) may make a complaint of harassment by taking any of the following steps:

- Explain the situation and complaint to the Clerk of Court or (if applicable) Chief Deputy; or,
- If the individual does not feel comfortable reporting the harassment complaint to the Clerk of Court or Chief Deputy for any reason, the individual may contact the President of the Louisiana Clerk of Court Risk Management Agency, Mark Graffeo, (225-383-0378) or the Hotline for the Louisiana Clerk of Court Risk Management Agency (888-288-9988).

Any such complaint of harassment will be kept confidential, to the extent reasonable possible. However, complete confidentiality cannot be guaranteed.

All complaints of unlawful harassment, discrimination and retaliation will be investigated and immediate and appropriate action will be taken when a complaint of harassment involving any public servant of the Clerk's office is received. All employees have an obligation and are expected to cooperate in workplace investigations in good faith; specifically, the complainant, the alleged victim of sexual harassment and the alleged harasser will be required to participate in the investigation. Actions taken on the complaint shall be documented.

Any public employee who has found to violate the harassment policy may be disciplined, up to and including suspension without pay or immediate discharge. Likewise, disciplinary action up to and including suspension without pay or termination may be taken against any employee making a complaint of harassment if it is determined that the alleged claim of harassment was intentionally false.



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A person making a complaint of harassment has the right to pursue the harassment claim under state or federal law, regardless of the outcome of the investigation.

Retaliation Prohibited

Retaliation against an individual for filing a complaint or testifying or participating in any way in an investigation or other proceeding involving a complaint of harassment is strictly prohibited. Retaliation includes the taking of any materially adverse employment action (such as termination, demotion, or significant changes in status, schedule, or duties) against an employee because of the employee's protected activity under the law.

Questions and Policy Interpretation:

Any questions regarding this policy or its interpretation should be immediately directed to the Clerk of Court or his/her designee.

PENALTIES FOR VIOLATION OF ANTI-HARASSMENT POLICY

If it is determined that inappropriate conduct has occurred, the Clerk of Court will act promptly to eliminate the offending conduct, and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action, as the Clerk of Court deems appropriate under the circumstances and in accordance with applicable law.