

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 3.28

PROHIBITION OF SEXUAL HARASSMENT AND OTHER FORMS OF DISCRIMINATORY HARASSMENT

In order for the Trumbull County Board of Developmental Disabilities to carry out its mission of providing choices, opportunities, and resources that enable children and adults with developmental disabilities to fully reach their potential as members of the community, The cooperation, respect, and commitment of every employee is essential. Intolerance and/or disrespect in the form of racial, ethnic or national origin, culture, sexual orientation (including identity expression), or gender-based slurs is unacceptable and will not be tolerated within the Board.

It is the policy of the Board that all persons enrolled in Board programs and employees should be able to enjoy a work environment and a job site free from all forms of discrimination, including gender-based discrimination due to sexual harassment. Discriminatory harassment of persons enrolled or employees at all levels by any person, in any form, are prohibited and will not be tolerated by the Board.

Discriminatory harassment is a form of misconduct that undermines the integrity of the employment relationship. No person served or employee should be subjected to any type of harassing conduct based on race, color, gender (including identity expression), creed, culture, sexual orientation, spiritual beliefs, disability, age, national or ethnic origin, language, socioeconomic, marital, or veteran status, the inability to pay, or any other characteristic protected by law. . The Board will take preventative and immediate remedial steps to stop discriminatory harassment from occurring.

Sexual Harassment Defined:

Sexual Harassment is specifically prohibited. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which, therefore, interferes with work performance.

Sexual harassment, whether committed by supervisory or non-supervisory personnel, is a form of sex discrimination. Sexual harassment, as defined by the Equal Employment Opportunity Commission, includes three situations in which unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex (gender) constitutes sexual harassment:

1. When submission to the conduct is an explicit or implicit condition of employment;
2. When submission to or rejection of the conduct is used as the basis for an employment decision(s); or
3. When 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 is not only a violation of Board policy but of state and federal law. In some cases, offensive sexual contact may be a criminal violation. Further, pursuant to this Board's policies, any type of discriminatory treatment or harassment of another will result in disciplinary action up to and including termination from employment.

Employees, applicants, or persons enrolled in the program, who believes they have witnessed or have been the subject of discriminatory harassment should report the alleged act immediately to their supervisor, Department Director, the Human Resource Director, or other leadership employee. The election of whom to file the notice or complaint with rests with the individual, irrespective of the chain of command. Information disclosed shall be held in confidence to the extent allowable by law and will be revealed on a need-to-know basis as may be reasonably necessary in order to investigate and resolve the matter.

Adopted: 5/26/98
Revised: 10/28/02
Updated: 7/24/2012
Revised: 3/25/2013

References:

Section 703(a)1, Title VII
Civil Rights Act of 1964
42 USC 2000(e)(2)(a); 29 CFR 1604.11