

## HARASSMENT POLICY

This represents the policy of the Avoyelles Parish District Attorney's Office (APDA) concerning harassment - both general and sexual. Any questions concerning the context of this policy should be discussed with the Office Administrator or the District Attorney.

It is the APDA's belief that its employees are the primary means by which the goals and objectives of the office will be met. All employees of the APDA must understand its position on harassment. By definition, harassment is any unwanted physical or verbal conduct or action prohibited by law by someone in the workplace that creates an intimidating hostile, or offensive work environment, including discrimination and sexual harassment.

The District Attorney strongly disapproves of activity which falls within the definitions of unlawful harassment and will take appropriate action to end said harassment and/or prevent the recurrence of any such misconduct. Any form of harassment or discrimination that violates federal, state or local law, including but not limited to that which is related to an individual's race, religion, color, sex, sexual orientation, national origin, pregnancy, age, disability, or other traits, characteristics, or activities that are protected by law, is a violation of this policy and will be treated as a disciplinary matter. The procedure for reporting and dealing with these very sensitive issues is as follows: If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behavior is inappropriate and that the employee would like it stopped.

If the employee is not comfortable discussing the issue with the person, or if the person fails to respect an employee's request, the employee should report the incident to the Office Administrator. If, for whatever reason, the employee does not feel that the Office Administrator is a suitable person to whom to report the incident, the employee should contact the District Attorney directly.

More specifically as to the issue of Sexual Harassment, it may be defined as unsolicited, offensive behavior that inappropriately asserts sexuality over employees including but not limited to the following:

- a) *Verbal*: Sexual innuendos, suggestive comments, threats, sexual humor;
- b) *Non-Verbal*: Leering, whistling, obscene gestures;
- c) *Physical*: Touching, brushing the body, coerced sexual activity, assault.

Whether or not a particular incident is sexual harassment requires a complete factual investigation, and the District Attorney will conduct such investigations on all complaints in a manner so as not to cause any serious effect on innocent employees who either file a complaint and/or may be the subject of a filed complaint. In all instances, a prompt and thorough investigation will take place, giving careful consideration to protect the rights and dignity of all persons involved. The District Attorney will take those steps it

feels necessary to resolve the problem, which may include verbal or written reprimand, suspension or termination.

It must be understood also that the District Attorney or his designee will investigate by gathering information, in as confidential manner as possible, given the need to investigate the complaint, from all concerned parties, and will not retaliate against any employee as a result of reports of alleged harassment or cooperation with any investigation. The District Attorney may consult its legal representative for assistance in determining whether conduct which has occurred does in fact constitute sexual harassment. The District Attorney may also make subsequent inquiries from time to time to ensure offensive conduct does not resume and/or that the subject of such harassment has not suffered any retaliation. No retaliation of any kind will be tolerated because an employee in good faith reports an incident of suspected harassment. The supervisor, or other person to whom the complaint was made, will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any sexual harassment complaint.

Any employee who believes he or she has been subjected to unlawful harassment, sexual harassment, or retaliated against for reporting such activities or assisting in a related investigation of such activities must report the alleged act immediately or as soon as possible to the Office Administrator or to the District Attorney. It is not necessary to complain to an offending supervisor in order to report sexual harassment.

Any employee, manager, or supervisor found by APDA to have unlawfully harassed, sexually harassed otherwise unlawfully discriminated against, or unlawfully retaliated against another employee will be subject to appropriate discipline, up to and including termination.

Preventing sexual harassment; mandatory training requirements:

- A. (1) 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.
- B. (2) The District Attorney shall require supervisors and any persons designated by the District Attorney to accept or investigate a complaint of sexual harassment within the office, to receive additional education and training.
- C. The District Attorney shall ensure that each public servant in the agency is notified of the agency's policy against sexual harassment and the mandatory training requirement on preventing sexual harassment. The District Attorney, or his designee, shall be responsible for maintaining records of the compliance of each public servant in the office with the mandatory training requirements. Each public servant's record of compliance shall be a public record and available to the public in accordance with the Public Records Law.
- D. The District Attorney shall ensure that its policy against sexual harassment and its complaint procedure is prominently posted in a conspicuous location in each of the District Attorney's office with notice on how to obtain the information.