

Sexual Harassment.

Sexual harassment is strictly prohibited under the Equal Employment Opportunity Commission, Section 703 of Title VII of the Civil Rights Act of 1964 as amended; Louisiana Employment Discrimination Law; R.S. 23:301-303 and 332; and La R.S. 42:341-345. It is defined by the Equal Employment Opportunity Commission as:

Unwelcome sexual advances, requests for sexual favors, and other verbal, physical or inappropriate conduct of a sexual nature if: (1) submission to such conduct is an explicit or implicit term or condition of an individual's employment; (2) submission to or rejection of such conduct is a basis for employment decisions affecting such individual; or (3) the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

(1) Sexual harassment may include a range of behaviors and may involve individuals of the same or different gender. Sexual harassment of any employee by another employee, legislator, or other person with whom an employee may have contact as part of his work environment is prohibited. Sexual harassment does not require the intent to offend. All employees should know of their responsibilities and protection under this policy.

(2) Actions that are inappropriate and may meet the definition of sexual harassment or contribute to a hostile work environment, include but are not limited to the following:

- Sexual pranks, or repeated sexual teasing, jokes, gestures or innuendo;
- Lewd comments about an individual's body;
- Touching or grabbing of a sexual nature;
- Talking about ones' sexual activity in front of others;
- Inappropriate unwelcome conduct of a sexual nature such as: cornering, repeatedly standing too close to or brushing up against another's body or leaning into or over a person;
- Giving gifts or leaving objects that are sexually suggestive;
- Posting, making, or displaying pornographic, sexually demeaning, or sexually explicit material in the workplace;
- Pressure for unnecessary personal interaction;
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment;
- Making sexual statements in person, in writing, or electronically, such as email, instant messaging, text messaging, blogs, web pages, social media, etc.

(3) The BPHSD#2 Sexual Harassment Policy shall be available for employee viewing upon hiring and in policy manual. Employees shall be informed if changes are made to the policy.

Procedures. If an employee believes that they have been harassed or sexually harassed or has witnessed an act of harassment, they should immediately report the incident to a supervisor, immediate supervisor,

District Manager or Board Chair. The supervisor or immediate supervisor shall forward the complaint to the District Manager or Board Chair immediately. The Board shall be notified immediately by the District Manager that a complaint has been filed. This notification shall not include the identity of the person making the complaint or the alleged harasser but shall inform the Board that a complaint has been filed and that an investigation shall be conducted pursuant to the provisions of this manual. The District Manager shall immediately initiate an investigation into the complaint.

If the alleged harasser is one of the Supervising employees, the complaint should be forwarded to the Board Chair. The Board Chair shall immediately initiate an investigation into the complaint pursuant to the provisions of this manual.

Any complaint and information resulting from a harassment or sexual harassment investigation will be kept in the strictest confidence, only informing those persons, as the situation dictates, who needs to know to affect the earliest resolution.

Enforcement Investigation, and Resolution of Complaints. A complaint of harassment or sexual harassment shall be immediately investigated by the Board designee pursuant to this manual. The investigation shall be completed within 15 working days of the complaint and the findings of the investigation shall be submitted to the Board Chair for action upon completion of the investigation. Final disposition of the complaint shall occur within 30 working days of filing the complaint. Depending upon the circumstances, the employee shall be subject to disciplinary action.

To initiate a formal investigation into an alleged violation of this policy, employees will be asked to provide a written statement about the alleged misconduct to the employees' supervisor. Complaints should be submitted as soon as possible after an incident has occurred. The supervisor may assist the complainant in completing the statement. To ensure the prompt and thorough investigation of a harassment complaint, the complainant should provide as much of the following information as is possible:

- The name, department, and position of the person or persons allegedly causing the harassment.
- A description of the incident(s) including the date(s), location(s), and the presence of any witnesses.
- The effect of the incident(s) on the complainant's ability to perform his or her job or on other terms and conditions of his or her employment.
- The names of other individuals who might have been subject to the same or similar harassment.
- What, if any, steps the complainant has taken to try to stop the sexual harassment. (Please note employees are not expected to handle any sexual harassment situation on their own at any time)
- Any other information the complainant believes to be relevant to the sexual harassment complaint.

All inquiries, complaints, and documentation of investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is kept as

confidential as possible. However, the identity of the complainant may be revealed to the respondent and witnesses.

Administration may consult with its attorneys in order to determine whether any conduct found to have occurred constitutes sexual harassment, as well as if a criminal law has been violated. If sexual harassment is found to have occurred, Administration will make subsequent inquiries; this is to ensure that any such sexual harassment has not resumed and that the complainants/witnesses of any such harassment have not suffered any sort of retaliation during or after the investigation and throughout the duration of their employment with the BPHSD#2 or any of its affiliates.

Retaliation. Employees shall report harassment or sexual harassment without fear of retaliation. There shall be no retaliation against any employee who, acting in good faith, files a complaint, cooperates with an investigation of a complaint, or seeks guidance on compliance concerns or questions. Retaliation is any action, statement, or behavior that is designed to punish an employee for filing a complaint, cooperating with an investigation of a complaint, seeking guidance regarding a compliance concern or to deter an employee from taking such action.

Acts of retaliation shall be reported immediately to a supervisor, immediate supervisor. The supervisor or immediate supervisor shall forward the complaint to the Board Chair immediately.

If the retaliation complaint is against one of the Boards senior employees, the complaint should be forwarded to the Board Chair. The Board Chair shall immediately initiate an investigation into the complaint pursuant to the provisions of this manual.

Mandatory Training. All employees shall complete the applicable mandatory training.

- All employees shall complete a minimum of one hour of education and training on preventing sexual harassment during each calendar year of his public employment. Employees shall send Direct supervisor a copy of their certificate of completion of the training.
- All supervisors and any employee designated by the Board to accept or investigate a complaint of sexual harassment for the District shall receive additional education and training each calendar year.
- All training certificates and records will be maintained by the District Manager on a calendar year basis. These training records shall be public record and available to the public in accordance with the Public Records Law.
- Failure to complete the mandatory training requirements may result in disciplinary action.

Reporting. The District Manager will compile an annual report by February first of each year containing information from the previous calendar year regarding the Agency's compliance with the requirements of RS 42:341-344. The report shall include:

- The number and percentage of employees who have completed the mandatory training requirements.

- The number of sexual harassment complaints received.
- The number of complaints which resulted in a finding that sexual harassment occurred.
- The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action; and
- The amount of time it took to resolve each complaint.

These reports shall be public record and available to the public in accordance with the Public Records Law