

CITY OF MONROE

ANTI-HARASSMENT, DISCRIMINATION, AND RETALIATION POLICY

All Unlawful Harassment Prohibited

The City of Monroe strictly prohibits and does not tolerate unlawful harassment or discrimination against employees or any other covered persons, including temporary employees, interns, summer workers and volunteers, because of race, color, religion, creed, national origin, ancestry, sex, pregnancy (including childbirth and related medical conditions), age (40 and over), physical or mental disability, citizenship, genetic information, sickle cell trait, past, current, or prospective service in the uniformed services, veteran status (including veterans attending medical appointments related to veterans benefits) or any other characteristic protected under applicable federal, state, or local law.

Sexual Harassment

All City of Monroe employees, other workers, representatives, and third-parties (including vendors, contractors, customers, and citizens) are prohibited from harassing employees and other covered persons based on that individual's sex (including pregnancy status) and regardless of the harasser's sex or gender.

Sexual harassment means any harassment based on someone's sex. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request, or conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the advance, request, or conduct is used as a basis for employment decisions.
- Such advances, requests, or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile, or offensive work environment.

The City of Monroe will not tolerate any unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when: the conduct explicitly or implicitly affect an individual's employment or the holding of office; unreasonably interferes with an individual's work performance; or creates an intimidating, hostile, or offensive work environment.

The City of Monroe will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually-related comments, or jokes, unwelcome sexual advances, or requests for sexual favors).
- Physical (for example, assault, battery, or inappropriate physical contact).
- Visual (for example, displaying sexually suggestive posters, cartoons, or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures).

- Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

The above list is illustrative only and not exhaustive. No form of sexual harassment will be tolerated.

Harassment is prohibited both at the workplace and at employer-sponsored events.

Other Types of Harassment or Discrimination Prohibited

This policy applies equally to harassment or discrimination based on an employee's race, color, religion, creed, national origin, ancestry, sex, pregnancy (including childbirth and related medical conditions), age (40 and over), physical or mental disability, citizenship, genetic information, sickle cell trait, past, current, or prospective service in the uniformed services, veteran status (including veterans attending medical appointments related to veterans benefits) or any other characteristic protected under applicable federal, state, or local law.

Such harassment or discrimination often takes a similar form to sexual harassment and includes harassment that is:

- Verbal (for example, epithets, derogatory statements, slurs, derogatory comments, or jokes).
- Physical (for example, assault, battery, or inappropriate physical contact).
- Visual (for example, displaying derogatory posters, cartoons, drawings, or making derogatory gestures).
- Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

The above list is illustrative only and not exhaustive. No form of harassment or discrimination will be tolerated.

Harassment and discrimination are prohibited both at the workplace and at employer-sponsored events.

No Retaliation

No one will be subject to, and the City of Monroe prohibits, any form of discipline, reprisal, intimidation, or retaliation for filing a complaint, good-faith reporting of incidents of harassment or discrimination of any kind, pursuing any claim, cooperating in related investigations, or testifying or participating in any way in an investigation or other proceeding involving a complaint of harassment or discrimination.

Examples of protected activities include:

- Lodging a good faith internal complaint (written or oral) with Human Resources or management specifically opposing unlawful discrimination or harassment (for example, if an employee believes that they have been sexually harassed).
- Filing a good faith complaint of unlawful discrimination or harassment with the US Equal Employment Opportunity Commission (EEOC), the Louisiana Commission on Human Rights (LCHR), or in court.

- Participating in the City of Monroe’s internal investigation into allegations of discrimination or sexual harassment.
- Supporting another employee’s internal or administrative complaint of unlawful discrimination (by, for example, testifying or providing an affidavit in support of a co-worker who has filed a discrimination or harassment complaint).
- Requesting an accommodation under the Americans with Disabilities Act or the Louisiana Employment Discrimination Law (LEDL).
- Requesting or taking leave under the Family and Medical Leave Act or the LEDL.

The above list is illustrative only, and not exhaustive. No form of retaliation will be tolerated.

Complaint Procedure

The City of Monroe is committed to enforcing this policy against all forms of harassment, discrimination, and retaliation. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately. If employees do not report harassing or discriminatory conduct, the City of Monroe may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

If you are subjected to any conduct that you believe violates any provision of this policy or witness any such conduct, you must promptly speak to, write, or otherwise contact your direct supervisor, ideally within ten (10) days of the offending conduct. If the conduct involves your direct supervisor, you may make a report to your Division Head or Department Head. Alternatively, you may also directly report your complaint to the City of Monroe’s Human Resources Division, or if you are unable to report the conduct to Human Resources, you may report the conduct to the City of Monroe’s Legal Department. The City encourages, but does not require, you to fill out the attached Complaint Form (which is available on the City of Monroe’s website, the employee intranet, and in the Human Resources Division) to make your complaint. Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. Immediate and appropriate corrective action will be taken, if necessary.

Additionally, any manager, supervisor, or co-employee who observes discriminating, harassing or retaliatory conduct must report the conduct to the Human Resources Division so that an investigation can be made, and immediate corrective action taken, if appropriate.

The City of Monroe, through the Human Resources Division, will directly and thoroughly investigate the facts and circumstances of all claims of perceived harassment, discrimination, or retaliation and will take immediate and appropriate corrective action, if necessary. All investigations will be conducted in a timely fashion and may include interviews of yourself, witnesses, supervisors, and other employees. The City of Monroe will promptly respond to any request for the status of an investigation as it proceeds, and the City of Monroe will document all actions taken in connection with the investigatory process.

If you do not receive confirmation that an investigation has been opened within five (5) business days after reporting any incident of what you perceive to be harassment, discrimination, or retaliation please immediately contact the Human Resources Division at (318) 329-2200. The Human Resources Division will ensure that a prompt investigation is conducted.

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The City of Monroe will provide a written determination in response to all complaints of harassment or discrimination within five (5) business days of the conclusion of the investigation. The written determination will include a summation of findings from the investigation and the outcome.

Violations of This Policy

Anyone, regardless of position, title, or status, whom the City of Monroe determines has subjected an individual to discrimination, harassment or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

Administration of This Policy

The Human Resources Division of the Administration Department is responsible for the administration of this policy. If you have any questions regarding this policy or questions about discrimination, harassment, or retaliation that are not addressed in this policy, please contact the Human Resources Division at (318) 329-2200.

Federal and State Law

This policy is intended to prohibit all forms of discrimination, harassment, and retaliation prohibited by federal law including, but not limited to: Title VII of the Civil Rights Act of 1964; Americans with Disabilities Act of 1990; Age Discrimination in Employment Act of 1967; Genetic Information Nondiscrimination Act of 2008; and the Uniformed Services and Reemployment Rights Act of 1994. This policy is also designed to prohibit all forms of discrimination, harassment, and retaliation prohibited by the Louisiana Employment Discrimination Law, including: La. R.S. 23:311 (age); La. R.S. 23:312 (physical or mental disability); La. RS. 23:323 (veterans attending medical appointments related to veterans' benefits); La. R.S. 23:332 (race, color, religion, sex, and national origin); La. R.S. 23:342 (pregnancy, including childbirth and related medical conditions); La. R.S. 23:352 (sickle cell trait); and La. R.S. 23:368 (genetic information). The above lists are not exhaustive, and this policy is intended to prohibit all forms of discrimination, harassment, and retaliation under any applicable federal, state, or local law.

Training

All City of Monroe employees, other workers, and representatives are required to complete a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of their public employment or term of office. All supervisors and any person designated to accept or investigate a complaint of sexual harassment are required to receive an additional one hour of education and training. Failure to attend training may result in disciplinary action.

Conduct Not Prohibited by this Policy

This policy is not intended to restrict communications or actions protected or required by federal, state, or local law.

Acknowledgment of Receipt and Review and Training

I, _____ (employee name), acknowledge that on _____ (date), I received a copy of the City of Monroe’s Anti-Harassment, Discrimination, and Retaliation Policy and that I read it, understood it, and agree to comply with it. I also understand that it is my responsibility to be familiar with and abide by its terms. I understand that the information in this policy is intended to help the City of Monroe’s employees work together effectively on assigned job responsibilities without fear of harassment, discrimination, or retaliation. This policy is not promissory and does not set terms or conditions of employment or create an employment contract.

I also hereby certify that I have attended one hour of sexual harassment training by live instruction on _____ (date).

Signature

Printed Name

Date