

LAMPASAS COUNTY PERSONNEL POLICIES

SECTION 1. EMPLOYMENT PRACTICES

1.2 HARASSMENT

LAMPASAS COUNTY IS COMMITTED TO A WORKPLACE FREE OF HARRASSMENT. HARRASSMENT INCLUDES UNLAWFUL UNWELCOMED WORDS, ACTS OR DISPLAYS BASED ON SEX, INCLUDING LESBIAN, GAY, BI-SEXUAL, OR TRANSGENDER STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE GENETIC INFORMATION, PREGNANCY, DISABILITY, FAMILY OR MILITARY LEAVE STATUS OR VETERAN'S STATUS. SUCH CONDUCT BECOMES HARRASSMENT WHEN (1) THE SUBMISSION TO THE CONDUCT IS MADE A CONDITION OF EMPLOYMENT, (2) THE SUBMISSION TO, OR REJECTION OF, THE CONDUCT IS USED AS THE BASIS FOR AN EMPLOYMENT DECESION; OR (3) THE CONDUCT CREATES AN OFFENSIVE, INTIMIDATING OR HOSTILE WORKING ENVIRONMENT OR INTERFERES WITH WORK PERFORMANCE INCLUDING BUT IS NOT LIMITED TO:

- A. SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF EMPLOYMENT;
- B. SUBMISSION TO OR REJECTION OF SUCH CONDUCT IS USED AS THE BASIS FOR DECISIONS AFFECTING AN INDIVIDUAL'S EMPLOYMENT; SUCH CONDUCT HAS THE PURPOSE OR EFFECT OF CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

THE COUNTY PROHIBITS THE FOLLOWING:

1. ANY UNWELCOME SEXUAL ADVANCES AND/OR REQUESTS FOR SEXUAL FAVORS, AND ALL OTHER VERBAL OR PHYSICAL CONDUCT OF A SEXUAL NATURE, WHICH INCLUDES SLURS, JOKES, STATEMENTS, GESTURES, TOUCHING, PICTURES, EMAILS OR
2. OFFENSIVE COMMENTS, JOKES, INNUENDOES, OR OTHER SEXUAL ORIENTED OR OTHER PROTECTED CLASS INDICATED ABOVE STATEMENTS.

HARRASSMENT IS PROHIBITED BY LAMPASAS COUNTY WHETHER COMMITTED BY AN ELECTED OFFICIAL, APPOINTED OFFICIAL, DEPARTMENT HEAD, CO-WORKER OR NON-EMPLOYEE WITH WHOM THE COUNTY DOES BUSINESS.

COMPLAINT PROCEDURE

EACH MEMBER OF MANAGEMENT AND EACH EMPLOYEE OF THIS COUNTY IS RESPONSIBLE FOR CREATING AN ATMOSPHERE FREE OF DISCRIMINATION AND HARASSMENT, SEXUAL OR OTHERWISE. FURTHER, EVERYONE IS RESPONSIBLE FOR RESPECTING THE RIGHTS OF OTHERS.

ALL CLAIMS OF HARASSMENT SHALL BE TAKEN SERIOUSLY AND INVESTIGATED PROMPTLY AND THOROUGHLY. IT IS THE INTENT THAT THE PRIVACY OF THE PEOPLE INVOLVED WILL BE PROTECTED TO THE EXTENT REASONABLY POSSIBLE TO CONDUCT A PROPER INVESTIGATION. WHILE CLAIMS OF HARASSMENT SHALL BE HANDLED WITH DISCRETION, THERE CAN BE NO COMPLETE ASSURANCE OF FULL CONFIDENTIALITY.

THE OFFICIAL OR DEPARTMENT HEAD TO WHICH A CLAIM HAS BEEN REPORTED SHALL BE RESPONSIBLE FOR SEEING THAT PROMPT ACTION IS TAKEN TO INVESTIGATE THE CLAIM. ONCE THE INVESTIGATION IS COMPLETE, THE PARTIES INVOLVED SHALL BE NOTIFIED OF THE RESULT OF THE INVESTIGATION AND ANY ACTIONS WHICH ARE TO BE TAKEN.

IF YOU EXPERIENCE ANY JOB-RELATED HARASSMENT BASED ON YOUR SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION, DISABILITY, VETERAN OR MILITARY STATUS, GENETICS, PREGNANCY OR ANOTHER FACTOR, OR BELIEVE THAT YOU HAVE BEEN TREATED IN AN UNLAWFUL, DISCRIMINATORY MANNER, THESE PROCEDURES WILL BE FOLLOWED:

1. WHEN PRACTICAL, CONFRONT THE HARASSER AND ASK THEM TO STOP THE UNWANTED BEHAVIOR.
2. RECORD THE TIME, PLACE AND SPECIFICS OF THE INCIDENT, INCLUDING ANY WITNESSES.

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HARASSMENT (cont'd.)

3. PROMPTLY REPORT THE INCIDENT TO YOUR SUPERVISOR, WHO WILL INVESTIGATE THE MATTER, TAKE APPROPRIATE ACTION AND REPORT IT AS NECESSARY TO THE HUMAN RESOURCES DIRECTOR.
4. IF YOU BELIEVE IT WOULD BE INAPPROPRIATE TO DISCUSS THE MATTER WITH YOUR SUPERVISOR, YOU MAY BYPASS YOUR SUPERVISOR AND REPORT IT DIRECTLY TO THE HEAD OF YOUR DEPARTMENT OR TO THE HUMAN RESOURCES DIRECTOR, COUNTY ATTORNEY OR COUNTY JUDGE WHO WILL UNDERTAKE AN INVESTIGATION.
5. IF THE INVESTIGATION SUBSTANTIATES THE COMPLAINT IS VALID, IMMEDIATE CORRECTIVE ACTION TO STOP THE HARASSMENT AND PREVENT REOCCURRENCE WILL BE TAKEN. SUCH CORRECTIVE ACTION MAY INCLUDE DISCIPLINE UP TO AND INCLUDING DISCHARGE OF THE OFFENDING PERSON.

REPORTS OF ACTS OF PERCEIVED HARASSMENT, DISCRIMINATION OR RETALIATORY ACTS SHOULD BE MADE IN GOOD FAITH. ANYONE WHO FALSIFIES A COMPLAINT OR FALSIFIES INFORMATION IN AN INVESTIGATION MAY FACE DISCIPLINARY MEASURES.

REPORTING OR FAILING TO REPORT CLAIMS IN ACCORDANCE WITH THE PROCEDURE GIVEN IN THIS POLICY SHALL NOT LIMIT OTHER LEGAL RECOURSE AN EMPLOYEE MAY HAVE IN REGARD TO SEXUAL HARASSMENT CHARGES.

THE COUNTY PROHIBITS ANY FORM OF RETALIATION AGAINST ANY EMPLOYEE FOR FILING A COMPLAINT UNDER THIS POLICY OR FOR ASSISTING IN A COMPLAINT INVESTIGATION. NO HARDSHIP, NO LOSS OF BENEFIT AND NO PENALTY MAY BE IMPOSED ON AN EMPLOYEE AS PUNISHMENT FOR:

- a. FILING OR RESPONDING TO A COMPLAINT OF DISCRIMINATION OR HARASSMENT;
- b. APPEARING AS A WITNESS IN THE INVESTIGATION OF A COMPLAINT; OR
- c. SERVING AS AN INVESTIGATOR.

EMPLOYEES WHO FEEL THEY HAVE BEEN SUBJECTED TO RETALIATION SHOULD IMMEDIATELY REPORT THE SITUATION TO THE ELECTED OR APPOINTED OFFICIAL WHO IS RESPONSIBLE FOR THE DEPARTMENT IN WHICH THEY WORK. IF, FOR ANY REASON, THE EMPLOYEE FEELS THAT REPORTING THE RETALIATION TO THE DEPARTMENT HEAD MAY NOT BE THE BEST COURSE OF ACTION, THE REPORT SHOULD BE MADE TO THE HUMAN RESOURCES DIRECTOR, COUNTY JUDGE OR TO THE COUNTY ATTORNEY.

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