

COUNTY OF MOULTRIE
SEXUAL HARRASSMENT POLICY
AND
COMPLAINT PROCEDURE
(ADOPTED APRIL 14, 2005)

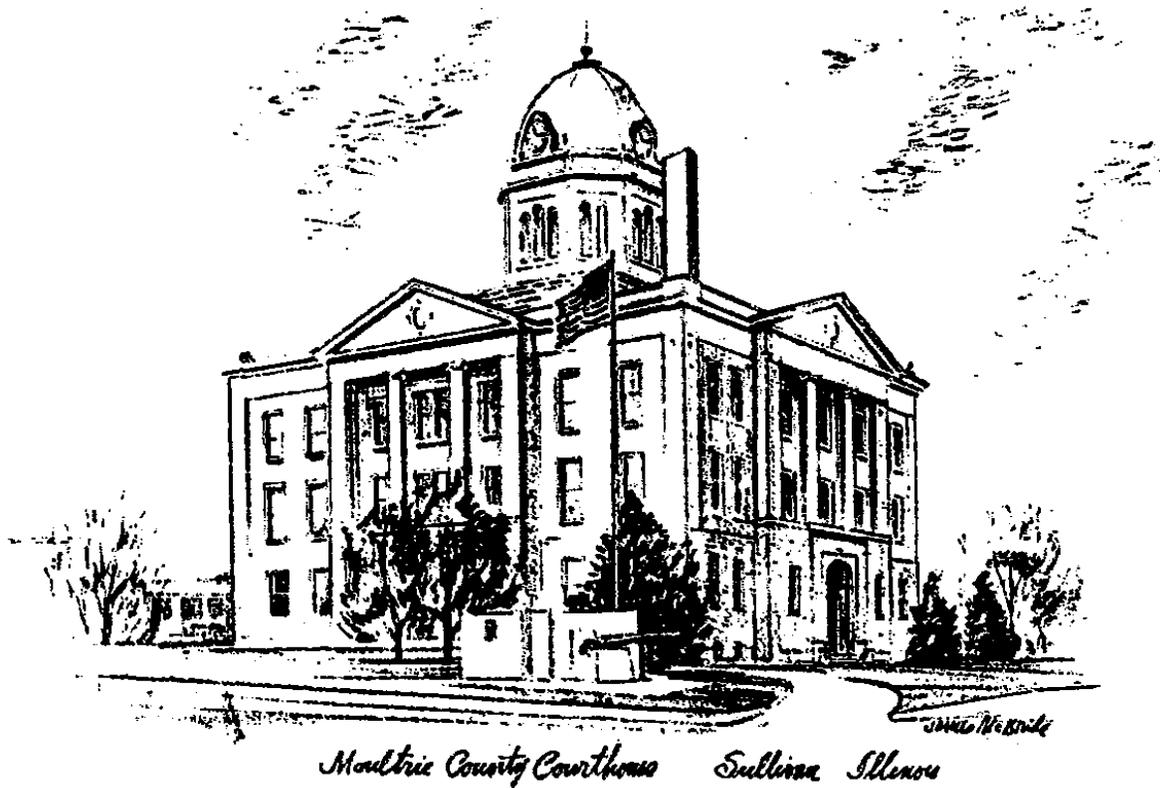


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I. STATEMENT OF POLICY

It is the County's policy that it will not tolerate the sexual harassment of any employee by any other employee of this County. Sexual harassment is an unlawful employment practice in violation of Title VII of the Federal Civil Rights Act of 1964 as well as the Illinois Human Rights Act. Sexual harassment subjects the harasser to liability for any such unlawful conduct.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

- A. submission to the conduct is made either explicitly or implicitly a condition of the individual's employment;
- B. submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee or;
- C. the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, hostile or offensive to the employee.

Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following are illustrations of actions that the County deems inappropriate and in violation of our policy:

- 1. A supervisor tells an employee or implies that he or she can earn a promotion or salary increase by providing any form of sexual favor to or dating the supervisor.
- 2. A supervisor downgrades an employee's performance rating because he or she turned down the supervisor's request for any sexual favor or date.
- 3. An employee gives unwelcome hugs, kisses, massages or makes other unwelcome physical contact with another employee.
- 4. An employee tells sexually offensive or degrading jokes or stories.
- 5. An employee uses sexually oriented profanity.
- 6. An employee makes offensive gestures of a sexual nature or repeatedly stares at another.
- 7. An employee makes unwelcome comments about the appearance or anatomy of another.
- 8. The work place contains pictures of naked or scantily clothed men or

women, or sexually explicit pictures or text.

9. An employee interferes with another's movement by blocking or standing in an uncomfortably close proximity.
10. An employee repeatedly asks another for a date after being turned down in a manner that does not invite a further invitation.

II. APPLICABLE PROCEDURES

The County takes allegations of sexual harassment very seriously. It will actively investigate all complaints.

A. **BRINGING A COMPLAINT:** Any employee of the County, or an employee of a County Official, who believes that he or she has been the victim of sexual harassment may bring the matter to the attention of the County in one of the following ways:

1. Advising his or her supervisor; or
2. Advising the County State's Attorney, or the County Clerk in the event that the alleged harasser is the State's Attorney.

If the complaint involves someone in the employee's direct line of command, then the employee should go directly to the State's Attorney.

The complaint should be presented as promptly as possible after the alleged harassment occurs.

All complaints will be handled with the utmost discretion.

B. **RESOLUTION OF A COMPLAINT:** Promptly after a complaint is submitted, the County will undertake such investigation, corrective and preventative actions as are appropriate. In general, the procedure in resolving any complaints can (but will not necessarily) include any of the following items:

1. Private conferences between the employee making the complaint and an individual designated by the County to investigate such complaint. Important data to be provided by the complaining employee includes the following:
 - a. A description of the specific offensive conduct;
 - b. Identification of all person(s) who engaged in the conduct;
 - c. The location where the conduct occurred;
 - d. The time when the conduct occurred;
 - e. Whether there were any witnesses to the conduct;
 - f. Whether conduct of a similar nature has occurred on prior occasions;
 - g. Whether there are any documents which would support the complaining employee's allegations;

- h. What impact the conduct had on the complaining employee.
2. If, after this initial meeting between the complaining employee and the County representative, the employee decides to proceed further with the matter, then a written statement will be submitted to the County by the individual who conducted the initial interview with the employee. Cases involving sexual harassment are particularly sensitive and demand special attention to issues of confidentiality. Therefore, the information provided either informally or by the written statement will not be released to third parties, except as provided or required by law.
 3. After a written statement of complaint is submitted by the employee, the alleged offending employee will be contacted by a designated representative of the County. The alleged offending employee will be advised of the charges brought against him or her, and may be provided with a copy of the written statement of complaint made by the complaining employee. The alleged offending employee will have an opportunity to fully explain his or her side of the circumstances, and may also submit a written statement, if desired.
 4. After the alleged offending employee is interviewed, any witnesses identified by either the complaining employee or the alleged offending employee will be interviewed.
 5. Once this investigation is completed, the County will take such action as is appropriate based upon the information obtained in the investigation. In the event that the County finds merit in the charges made by the complaining employee, disciplinary action will be taken against the offending employee. This disciplinary action may, but need not necessarily, include:
 - a. Verbal or written reprimand;
 - b. Placing the offending employee on probation for a period of time to be identified;
 - c. Delay in pay increases or promotions;
 - d. Suspending the offending employee from work without pay;
 - e. Immediate termination.

Under no circumstances will there be any retaliation against any employee making a complaint of sexual harassment.

If you have any questions concerning the County's policies on this matter, please see the State's Attorney. Further information may also be obtained from the Illinois Department of Human Rights, 312-814-6200, or the Equal Employment Opportunity Commission (EEOC), 312-353-2713.

The above policy was adopted by the Moultrie County Board April 14, 2005.