RESOLUTION NO. 93-49
BOARD OF SUPERVISORS, COUNTY OF MONO

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS ESTABLISHING A SEXUAL HARASSMENT COMPLAINT PROCEDURE FOR COUNTY EMPLOYEES

Whereas, the County of Mono prohibits any form of sexual harassment in the workplace in accordance with Title VII of the Civil Rights Act; and

Whereas, all employees have the right to a work environment which is free from verbal, written, physical, visual or any other type; of intimidation or harassment because of sex; and

Whereas, immediate corrective actions will be taken should conduct of this nature occur between co-workers, supervisors and subordinates, as well as any unsolicited acts of non-employees on County premises; and

Whereas, for purposes of this policy, unwelcome sexual conduct will be considered unlawful sexual harassment when it is a term or condition of employment; the basis for any employment decision; interferes with work performance; or, creates an intimidating work environment; and

Whereas, the county, its employees, or agents shall not intimidate or discriminate against any employee who files a sexual harassment complaint or participates in any aspect of the investigation or review.

Now, therefore, the Mono County Board of Supervisors does hereby resolve to adopt the following sexual harassment complaint procedures:

PURPOSE:

To establish a sexual harassment complaint procedure for County employees.

AUTHORITY:

Title VII of the Civil Rights Act.

POLICY:

The County of Mono is committed to promoting and maintaining a work environment free from sexual harassment in any manner including verbal, written, physical, visual, or any other type; of intimidation by supervisors, co-workers or non-employees on County premises. Sexual harassment is a violation of County policy and State and federal law. Employees violating this sexual harassment policy may be subject to appropriate disciplinary action, up to and including discharge.

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DEFINITION:

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

PROCEDURES:

The following procedures have been formulated to assist employees with complaints of sexual harassment. In processing and reviewing sexual harassment complaints, all employees shall make every effort to protect the privacy of the individuals involved in a complaint, and investigations should be conducted with discretion, sensitivity and due concern for the dignity of those involved. All employees are assured that they may make sexual harassment complaints and cooperate in investigations of such complaints without fear of retaliation or reprisal by the County, the employee's immediate supervisor, or any other County management employee.

1. Informal Resolution:

In order to resolve sexual harassment complaints as early as possible, employees with such complaints are encouraged to verbally inform the immediate supervisor (or the next level management employee if the immediate supervisor is an alleged harasser), of the incident. The person so informed shall promptly investigate the complaint and attempt to resolve the matter so that any behavior constituting sexual harassment does not occur. Such supervisor should impose any disciplinary action that is warranted, in accordance with the County's standard disciplinary procedures.

2. Written Complaint to County Administrative Officer:

If the sexual harassment complaint is not resolved to the complainants's satisfaction through the informal resolution procedure, or if the complainant prefers to waive the informal resolution procedure and initiate the complaint in the following manner, the employee shall complete a Sexual Harassment Complaint Form (Attachment) and deliver it to the employee's department head (or directly to the County Administrative Officer if the department head is the alleged harasser), who shall forward the complaint to the County Administrative Officer.

The County Administrative Officer shall assign an individual to investigate the complaint. Within 30 days of the filing of a complaint, an investigation shall be conducted and a report sent to the County Administrative Officer, recommending actions to be taken to resolve the complaint. The County

Administrative Officer shall, within a reasonable time after receiving the report, make a decision on the recommendations and provide the complainant with a notification of the decision and action taken. If these limits cannot be met, the complainant shall be informed in writing of the delay.

The notification shall also inform the complainant that, if the complainant is not satisfied with the County Administrative Officer's decision, the complainant has the right to file a complaint with State and/or federal regulatory agencies and/or in State or federal court. Time limits for filing complaints with regulatory agencies vary and employees should check directly with those agencies for specific directions.

PASSED AND ADOPTED this 15th day of June , 1993 by the following vote:

AYES : Supervisors Alpers, Lawrence, Paranick, Reid
NOES : None
ABSTAIN : None
ABSENT : Supervisor Jarvis

ATTEST: Nancy Gordon
Nancy Gordon, Deputy
Clerk of the Board

ANDREA LAWRENCE
CHAIR
BOARD OF SUPERVISORS

APPROVED AS TO FORM:

Neil McCarroll
NEIL MCCARROLL
ASSISTANT COUNTY COUNSEL

DATE: June 15 1993