

Randall M. Deshotel, Evangeline Parish Clerk of Court
SEXUAL HARASSMENT POLICY
Adopted December 11, 2019

Sexual harassment and discrimination in the workplace are prohibited by federal law through the Civil Rights Act of 1964 as amended and by state law through Louisiana Revised Statutes (R.S.) 23:301 *et seq* and 42:341-344 (Act 270 of 2018). Sexual harassment and discrimination in the workplace will not be tolerated and appropriate action will be taken to end any such harassment and/or prevent the recurrence of any such misconduct.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature constitute sexual harassment when the conduct explicitly or implicitly affects an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

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;
- Repeatedly cornering, standing too close to, brushing up against another's body, or leaning into or over a person;
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested (supervisors in particular should be careful not to pressure their employees to socialize);
- 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.

Any employee who believes he or she has been subjected to unlawful sexual harassment, or has been retaliated against for reporting such activities or assisting in a related investigation of such activities, must report the alleged act immediately or as soon as possible. Under most circumstances, complaints should be made by the employee to his/her supervisor. If the complaint involves the employee's supervisor or someone within the direct line of supervision, or if the employee, for whatever reason, is uncomfortable reporting such behavior to a supervisor, he/she may report the incident to the Clerk.

Immediate and appropriate action will be taken on all complaints of sexual harassment. Actions taken on the complaint will be documented.

All complaints will be investigated by gathering information, in as confidential a manner as possible, from all concerned parties. The alleged sexual harasser and the alleged victim will be required to participate in the investigation process. Legal representation may be consulted for assistance in determining whether conduct that has occurred does in fact constitute sexual harassment.

Employees will not be retaliated against as a result of filing a complaint of sexual harassment or testifying or participating in any way in an investigation or other proceeding involving a complaint of sexual harassment.

Any employee, manager, or supervisor found to have unlawfully sexually harassed, or unlawfully retaliated against, another employee will be disciplined in accordance with applicable law, up to and including termination. If any employee, manager, or supervisor is found to have intentionally made a false allegation of sexual harassment, that individual will be disciplined in accordance with applicable law, up to and including termination.

Regardless of the outcome of the investigation, a complainant may pursue a claim under state and/or federal law.

All public servants shall complete the applicable mandatory training:

- All public servants shall complete a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his public employment or term of office, as the case may be. Public servants shall send the Clerk a copy of their certificate of completion of the training.
- All supervisors and any employee designated to accept or investigate a complaint of sexual harassment shall receive additional education and training each calendar year.
- The education and training may be received either in person or via internet through training and education materials approved by the Clerk.
- The Clerk shall ensure that each public servant is notified of the policy against sexual harassment and the mandatory training requirement on preventing sexual harassment. The Clerk shall be responsible for maintaining records of the compliance of each public servant with the mandatory training requirement. Each public servant's record of compliance shall be a public record and available to the public in accordance with the Public Records Law.
- The Clerk shall ensure that its policy against sexual harassment and its complaint procedure is prominently posted on its website.

The Clerk shall compile an annual report by February first each year containing information from the previous calendar year regarding compliance, including:

- The number and percentage of public servants who have completed the 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 the manner provided by the Public Records Law.

Each employee shall sign and date the Randall M. Deshotel, Evangeline Parish Clerk of Court Sexual Harassment Policy Employee Acknowledgement form Adopted December 11, 2019. The signed form will be maintained in each employee's personnel file. (Attached).

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EMPLOYEE ACKNOWLEDGEMENT

My signature hereon acknowledges that:

1. I have received a copy of the Randall M. Deshotel, Evangeline Parish Clerk of Court Sexual Harassment Policy, Adopted December 11, 2019;
2. I have read this Policy;
3. I understand the content of this Policy;
4. I agree to comply with the terms and provisions of this Policy;
5. I understand that compliance with this Policy is a condition of employment/continued employment; and
6. I understand that disciplinary action, including the possibility of termination, will be imposed for violating the terms and conditions of this policy.

EMPLOYEE (SIGNATURE)

EMPLOYEE NAME (PRINTED)

DATE