

*Kingman County
Kansas
Personnel Policy Manual*

Policy #21
Harassment

Commission Approved
Date: 6/7/10

21 Harassment

21.1 It is the policy of Kingman County to promote a productive work environment. All employees of Kingman County have the right to work in an environment free of all forms of harassment. Kingman County will not tolerate conduct by any employee or person that harasses another; disrupts or interferes with others' work performance; or creates an intimidating, demeaning, insulting, abusive, offensive, or hostile environment. This includes but is not limited to offensive, harassing or disruptive conduct directed at individuals for the following reasons: race, national origin, religion, disability, pregnancy, age, military status, genetics, or sex.

1. Prohibited conduct includes, but is not limited to:

- a) No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person.
- b) Employees shall not make offensive or derogatory comments based on race, color, sex, religion or national origin either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal law and is also considered misconduct subject to disciplinary action by the County.
- c) Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature including, but not limited to:
 - Unwanted gestures, or unwelcome physical contact or conduct of any kind, including flirtation, touching, advance, suggestion, or proposition;
 - Demeaning, insulting, intimidation or suggestive comments about an individual's dress, body, attitudes, behavior, relationships;
 - The display in the workplace of demeaning, insulting, intimidating, or suggestive objects or pictures;
 - Demeaning, insulting, intimidating, or suggestive written, recorded, or electronically transmitted messages. Employees should have no expectation that their e-mail messages are private or confidential.

This and similar conduct is against County policy regardless of who is engaging in it or what their gender is.

21.2 If any employee believes that he/she personally, or some other employee, is being harassed, sexually or otherwise, the employee must immediately report that concern either to his/her immediate Department Head, to the Human Resources Administrator, or to the County Commission. Any employee can report a concern about harassment

without fear of retaliation, and the report will be kept confidential to the extent possible and consistent with a timely, thorough, and objective investigation by either the Human Resources Administrator (HRA), County Legal Counsel, or appointment by the Board of County Commissioners.

Complaint Procedure:

1. Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
2. The person receiving the complaint shall immediately prepare and submit a report of the formal complaint, as outlined in the 'Sexual and other Unlawful Harassment Complaint Form' and deliver it to the HRA.
3. Once reported, the County will promptly investigate the allegations and, as appropriate, will take immediate corrective action appropriate to the severity of the harassment, up to and including termination of those involved in the circumstance.
4. If an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information may be subject to disciplinary action.

21.3 Department Head Responsibilities

1. Each Department Head shall be responsible for preventing acts of harassment. This responsibility includes:
 - a) Monitoring the work environment on a daily basis for signs that harassment may be occurring;
 - b) Assist all employees on the types of behavior that is prohibited, and the agency procedures for reporting and resolving complaints of harassment;
 - c) Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within the Department Head's line to supervise; and
 - d) Each Department Head has the responsibility to assist any employee of their department who comes with a complaint of harassment, in documenting and reporting a complaint; and
 - e) Take immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.

Employee's Responsibilities

2. Each employee is responsible for assisting in the prevention of harassment through the following acts:
 - a) Employees should monitor their own behavior and refrain from participation in, or encouragement of, actions that could be perceived as harassment;
 - b) Reporting acts of harassment to a Department Head;
 - c) Encouraging any employee who confides that he or she is being harassed to report these acts to a Department Head; and
 - d) Failure to take action to stop known harassment shall be grounds for discipline.