

LAFAYETTE CITY MARSHAL'S OFFICE

ANTI-HARASSMENT AND ANTI-DISCRIMINATION

1. POLICY

- 1.1 The Lafayette City Marshal's Office is committed to maintaining a work environment that is free from discrimination and where employees can devote their full attention and best efforts to the job. The expectation is that managers, supervisors, and employees will create and maintain a work environment that respects all persons.
- 1.2 It is the policy and practice of the Lafayette City Marshal's Office to recognize and respect each other as individuals. Harassment, intentional or unintentional, has no place in the work environment. Accordingly, the Marshal's Office does not authorize and will not tolerate any forms of harassment and/or discrimination of or by any employee based on race, color, religion, ancestry, national origin, age, sex, sexual orientation, marital status, political affiliation, veterans' status, disabilities (physical and mental), actual or perceived sexual orientation or gender identity and medical condition (including cancer and HIV status).
- 1.3 The term "harassment and/or discrimination" includes, but is not limited to, disparate treatment, offensive language, jokes, or other verbal, graphic or physical conduct relating to an employee's race, sex, religion, color, national origin, age, disability, sexual orientation, gender identity, or other class protected by law, which interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- 1.4 All employees are prohibited from retaliating or threatening to retaliate in any way against anyone who has voiced a complaint or participated in an investigation relating to harassment or discrimination. Harassment or discrimination constitutes a disciplinary infraction that shall be dealt with through the appropriate measures, up to and including discharge.
- 1.5 Harassment or discrimination constitutes a disciplinary infraction that shall be dealt with through the appropriate measures, up to and including discharge.

2. ROLES AND RESPONSIBILITY

- 2.1 Maintaining a harassment-free or discrimination-free workplace is every employee's responsibility.
- 2.2 Managers and supervisors are responsible for ensuring a harassment-free and discrimination-free workplace and adherence to this policy. This includes reporting all instances or complaints of harassment or discrimination to the Administration, taking appropriate preventive or corrective action, and stopping any harassment or discrimination they are aware of.
- 2.3 Each employee has a responsibility to create and support a workplace that is free of harassment or discrimination by complying with this policy and by ensuring their behavior meets acceptable standards. Employees must refrain from discriminatory or harassing behavior and are encouraged to report any observed harassment or discrimination to Administration.
- 2.4 Each public servant shall receive 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. Supervisors may be required to receive an additional hour of education and training on preventing and reporting sexual harassment.

3. TYPES OF HARASSMENT OR DISCRIMINATION

- 3.1 Harassment or discrimination may include but is not limited to, objectionable conduct, comments, or displays made on either a one-time or continual basis that demeans, belittles, or causes humiliation to a person and that is known or reasonably ought to be known, to be unwelcome.
- 3.2 Sexual harassment may include, but is not limited to: (a) physical assaults or unwelcome physical conduct that is sexual in nature; (b) unwelcome sexual advances or comments or requests for sex or sexual activities concerning one's employment or advancement, regardless of whether promises or threats accompany them; (c) sexual displays or publications such as

calendars, cartoons or graffiti; or (d) other verbal or written communication or physical conduct of a sexual nature which interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

- 3.3 Examples of sexual harassment include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented "kidding," "teasing" or "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body; or reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.
- 3.4 The Lafayette City Marshal's Office regards all such conduct as a violation of this policy, regardless of whether submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- 3.5 Harassment or discrimination based on other protected classes is also expressly prohibited. It includes any verbal, written, or physical act in which race, religion, national origin, actual or perceived sexual orientation gender identity, or other protected class is used or implied in a manner that interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- 3.6 Examples of other harassment or discrimination include jokes, which include reference to the protected class, the display or use of objects or pictures that adversely reflect on a person's protected class, or the use of language that is offensive due to a person's protected class.

4. HOW TO REPORT INSTANCES OF HARASSMENT

- 4.1 All employees have the right to file a complaint concerning harassment or discrimination. Employees who feel harassed or discriminated against should immediately make their objections known to the alleged harasser.
- 4.2 If the employee feels that the above step is not appropriate or the first step fails to resolve the situation, the employee may submit a complaint through the proper chain of command.
- 4.3 Employees witnessing harassment or discrimination are encouraged to act to bring the incident to the attention of their immediate supervisor.
- 4.4 When submitting a complaint about harassment or discrimination, the complainant should be able to specifically identify the incidents in question, the dates (if possible), the name(s) of the person(s) accused of wrongdoing, any witnesses, and a description of exactly what happened.
- 4.5 All employees, supervisors, division/department heads are expected to treat all complaints seriously, immediately, and confidentially and to give an investigation top priority.

5. HOW COMPLAINTS WILL BE INVESTIGATED

- 5.1 The Lafayette City Marshal's Office will investigate all good faith allegations of harassment or discrimination. Every effort will be made to preserve confidentiality while still thoroughly investigating the matter.
- 5.2 The Investigative Officer may recommend remedial measures based upon the results of the investigation, and management will consider such recommendations.
- 5.3 A non-employee's commission of acts of harassment or discrimination toward an employee will result in appropriate remedial action by the Lafayette City Marshal's Office, depending upon the nature and severity of the misconduct. Possible remedial steps may include letters of objection, refusal to allow the alleged harasser on the Lafayette City Marshal's Office premises or some other appropriate action.
- 5.4 When a complaint is made, the Investigative Officer shall immediately bring all harassment or discrimination, and retaliation complaints to the confidential attention of the Chief Deputy and Marshal of the Lafayette City Marshal's Office of the complainant/alleged harasser.
- 5.5 An effective anti-harassment/anti-discrimination policy requires the support and cooperation of all Lafayette City Marshal's Office employees. Lafayette City Marshal's Office employees who engage in harassment, discrimination or retaliation, or

who fail to cooperate, or who knowingly give false, misleading statements during administrative investigations shall be subject to disciplinary action in accordance with PPM "Conditions of Employment," Section 4. In addition, employees in authority who refuse to implement remedial measures, obstruct the remedial efforts of other employees, and/or retaliate against harassment or discrimination complaints or witnesses shall be subject to disciplinary action up to and including discharge.

- 5.6 If a complaint of retaliation is made and an investigation reveals that harassment, retaliation, or reprisal occurred, the offender shall receive disciplinary action up to and including termination of employment.

6. NOTIFICATION AND DISPOSITION

- 6.1 As soon as practicable after a decision is made, the Lafayette City Marshal's Office administration shall separately notify the complainant and the alleged harasser of the outcome of the investigation. Only the complainant, the alleged harasser, and those needing to know will be told of the final disposition of the complaint.
- 6.2 If either the complainant or the alleged harasser is dissatisfied with the processing of the complaint, the decision reached or the remedial action taken, if any, that person may submit a written statement of his/her position to the Chief Deputy or Marshal of the Lafayette City Marshal's Office.
- 6.3 The above-listed persons will review the investigative file, conduct additional investigations if in their opinions such is necessary, and will determine whether the action taken, if any, was appropriate. The person requesting the appeal will be notified of the results of this review as soon as practicable but no later than ten (10) working days from receipt of the complaint.

7. TRAINING

- 7.1 To support this policy, the Lafayette City Marshal's Office requires all employees to successfully complete training upon hiring and continuously after that. At a minimum, the Lafayette City Marshal's Office mandates the following training for its employees:
- 7.2 Upon hiring, all new employees will be provided with a copy of this policy and instructed to review it carefully and if any questions, to bring them to the attention of the Administration.
- 7.3 All current employees are required to review this policy annually.
- 7.4 All employees, on an annual basis after that, are required to complete the most recent training on sexual harassment. Certification of successful completion will be required annually.
- 7.5 All employees shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his/her public employment or term of office, as the case may be.
- 7.6 All supervisors must complete two hours of education and training on preventing sexual harassment each year.
- 7.7 The sexual harassment education and training may be received in person or via the LCG Intranet.
- 7.8 The Training Sergeant is responsible for monitoring and documenting compliance by employees employed by the Lafayette City Marshal's Office.
- 7.9 Each employee has to successfully complete the sexual harassment training by October 31st each year. On November 1st of each calendar year, the Training Sergeant is responsible for certifying all of the employees in their respective divisions have taken the training.
- 7.10 This document will become part of the employee personnel file.

8 DISCIPLINARY ACTION

- 8.1** Supervisors must report all complaints of sexual harassment or discrimination to the Marshal which will be forwarded to Human Resources. Employees who do not adhere to this PPM are subject to disciplinary action. The disciplinary action may include a Letter of Reprimand, Suspension, or Termination of employment. Supervisors will also be held accountable for employees under their supervision who fail to comply with this PPM. Disciplinary Action may be imposed for the following actions, including but not limited to:
- a. Failure to comply with mandatory training requirements.
 - b. Failure by a supervisor or manager to timely transmit a reported complaint of sexually inappropriate behavior or discrimination.
 - c. Failure to participate or cooperate in the administrative investigation process.
 - d. Provide false, misleading information or withholding information during questioning/interview.
 - e. Filing a false or frivolous complaint.
 - f. Retaliation towards a complainant or anyone involved in the investigation process.

9 MANDATORY REPORTS

- 9.1** Administration shall compile an annual report by February 1st of each calendar year containing information from the previous calendar year regarding compliance, including:
- a. The number and percentage of employees who have completed the training requirements.
 - b. The number of sexual harassment complaints received by the Administration.
 - c. The number of complaints which resulted in a finding that sexual harassment occurred.
 - d. The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action.
 - e. The amount of time it took to resolve each complaint.
- 9.2** These reports shall be a public record and available to the public in the manner provided by the Public Records Law.

This updated policy is approved by the following:

 9/15/23
REGGIE THOMAS, LAFAYETTE CITY MARSHAL DATE

ANTI-HARASSMENT POLICY

The Lafayette City Marshal's Office (LCM) is committed to maintaining a work environment that is free from harassment or discrimination and where employees at all levels are able to devote their full attention and best efforts to the job. Harassment or intentional or unintentional discrimination has no place in the work environment. Accordingly, the Lafayette City Marshal's Office does not authorize and will not tolerate any form of harassment or discrimination of or by any employee based on race, sex, religion, color, national origin, age, disability, actual or perceived sexual orientation, gender identity, or any other factor protected by law. The term "harassment or discrimination" includes, but is not limited to, offensive language, jokes, or other verbal, graphic, or physical conduct relating to an employee's race, sex, religion, color, national origin, age, disability, actual or perceived sexual orientation, gender identity, or other factor protected by law which would make the reasonable person experience a hostile, offensive, or intimidating work environment or which could interfere with the person's job performance.

Sexual "Harassment or Discrimination"

Sexual "harassment or discrimination" includes: (a) physical assaults or physical conduct that is sexual in nature; (b) unwelcome sexual advances or comments or requests for sex or sexual activities concerning one's employment or advancement, regardless of whether promises or threats accompany them; (c) sexual displays or publications such as calendars, cartoons or graffiti; (d) other verbal or physical conduct of a sexual nature which has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment; and (e) retaliation for complaints of harassment. The LCM regards all such conduct as a violation of this policy, regardless of whether submission to such conduct is made either explicitly or implicitly a term or condition of employment. Examples of sex "harassment or discrimination" include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented "kidding," "teasing" or "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body, or reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.

Other Forms

Racial, religious, or national origin harassment and harassment based on other protected classes is expressly prohibited. Racial, religious, national origin, actual or perceived sexual orientation, gender identity, and other harassment or discrimination includes any verbal, written, or physical act in which the protected class is used or implied in a manner that would make a reasonable employee experience a hostile, offensive, or intimidating work environment or which would interfere with the employee's ability to perform the job. Examples include jokes, which include reference to a protected class or the displays or use of language which is offensive due to a protected class.

If you believe you are being harassed or discriminated against, please tell the harasser that you find such behavior offensive and that such behavior is against the LCM policy. Ask the harasser to stop such behavior immediately. It is important that you let co-workers know when you consider their behavior offensive. A person may not realize that their behavior could be offensive to others.

You are always free to submit a complaint in writing to your immediate supervisor or Administration.

The LCM is committed to providing an environment free from "harassment or discrimination," and no one will retaliate against you in any way for expressing your concerns about any harassment.

I have received and read the Anti-Harassment and Anti-discrimination policy.

EMPLOYEE SIGNATURE

DATE