

## **PROHIBITED HARASSMENT**

All forms of illegal discrimination and harassment are strictly forbidden. All employees are allowed to work in an environment free from all forms of discrimination and harassment based on race, color, religion, gender/sex, age, national origin, disability, citizenship status, veteran status, pregnancy, or otherwise as prohibited by Title VII of the Civil Rights Act of 1964 as amended (42 USC § 2000e), 42 U.S.C. § 1981, the Louisiana Employment Discrimination Law (La. Rev. Stat. 23:301, et seq.), and any other federal or state law prohibiting discrimination and harassment in employment. This policy adheres to and is in compliance with Act 270 of the 2018 Regular Legislative Session designated as La. Rev. Stat. § 42:341 et seq.

Discrimination and harassment are prohibited and not tolerated from the Clerk of Court, administrative officers, supervisors, co-workers, customers, clients, contractors, vendors, judges, courtroom personnel or any other individuals with whom you may come into contact with at the Clerk's office.

### **Sexual Harassment:**

Sexual harassment is one form of unlawful discrimination/ harassment and shall not be tolerated. Sexual harassment is defined as:

- unwelcome sexual advances;
- requests for sexual favors; and
- other visual, verbal, physical, or inappropriate conduct of a sexual nature when:
  - the conduct explicitly or implicitly affects an individual's employment or the holding of office; or
  - the conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

### **Description and Examples of Sexually Inappropriate Conduct:**

Sexual harassment on the job may take several forms, including:

- unwelcome sexual flirtations, advances, propositions, or gestures;
- requests for sexual favors;
- unwelcome or offensive touching;
- continued or repeated verbal abuse of a sexual nature or based on gender;
- verbal harassment, such as jokes and innuendoes;
- graphic, verbal comments about an individual's body;
- the display of pornographic or sexually suggestive materials, or degrading materials relating to a person's protected status, including materials

displayed using electronic communication resources (such as internet, intranet, voice mail or e-mail system);

- jokes or cartoons of a sexual nature on display or distributed;
- sexual stereotyping based on gender or sex;
- offensive comments, displays, jokes or cartoons concerning an individual's sex, gender, sexual orientation or preference, that are not necessarily sexual in nature.

### **Other Forms of Harassment:**

The principles for defining sexual harassment in the workplace apply as well to harassment based on other protected categories. More specifically, it is a violation policy to engage in conduct with the purpose or effect of substantially interfering work environment or creating a hostile work environment because of or on a basis of an employee's protected status, including race, color, religion, age, national origin, disability, citizenship status, veteran status, pregnancy, or any other protected status under federal or state law.

### **Reporting and Complaint Procedure:**

All public servants have an obligation to contribute to a harassment and discrimination free workplace by taking immediate action to report harassment at the first instance of any conduct which results in:

- feeling uncomfortable in a situation because of someone's harassing, sexually suggestive, inappropriate, abusive or discriminatory conduct;
- witnessing or overhearing harassing, sexual suggestive, inappropriate, abusive or discriminatory conduct;
- feeling that another's harassing, sexually suggestive, inappropriate, abusive or discriminatory conduct is improper and violates this policy;
- believing that another's harassing, sexually suggestive, inappropriate, abusive or discriminatory behavior impairs their ability to do their job; or
- wanting the harassing, sexually suggesting, inappropriate, abusive or discriminatory conduct to stop.

Any employee or individual at the workplace (customer, client, contractor, vendor, etc.) may make a complaint of harassment by taking any of the following steps:

- Explain the situation and complaint to the Clerk of Court or Chief Deputy; or,
- If the individual does not feel comfortable reporting the harassment complaint to the Clerk of Court or Chief Deputy for any reason, the

individual may contact the President of the Louisiana Clerk of Court Risk Management Agency, Mark Graffeo, (225-383-0378) or the Hotline for the Louisiana Clerk of Court Risk Management Agency (888-288-9988).

Any such complaint of harassment will be kept confidential, to the extent reasonable possible. However, complete confidentiality cannot be guaranteed.

All complaints of unlawful harassment, discrimination and retaliation will be investigated and appropriate action will be taken to prevent and promptly correct any harassing behavior. All employees have an obligation and are expected to cooperate in workplace investigations in good faith. Any public employee who has found to violate the harassment policy may be disciplined, up to and including suspension or immediate discharge.

### **Retaliation Prohibited**

Retaliation against an individual for filing a good faith complaint or testifying or participating in any way in an investigation or other proceeding involving a complaint of harassment is strictly prohibited. Retaliation includes the taking of any materially adverse employment action (such as termination, demotion, or significant changes in status, schedule, or duties) against an employee because of the employee's protected activity under the law.

### **Questions and Policy Interpretation:**

Any questions regarding this policy or its interpretation should be immediately directed to the Clerk of Court or Chief Deputy.