

8.0 NON-DISCRIMINATION AND HARASSMENT

8.1 EQUAL EMPLOYMENT OPPORTUNITY

It is the District's policy to employ, retain, promote, discipline, discharge, and otherwise treat all employees and job applicants on the basis of merit, qualifications and competence or membership in any other classification provided for under federal or Oregon state law. It is the policy of the District to comply with federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, sexual orientation, veteran status, any disability which can be accommodated reasonably, or any other status protected by law. Actual or perceived homosexuality, heterosexuality or bisexuality, are also categories of people protected from discrimination in hiring, firing, discipline and other terms of employment.

The District Manager is the coordinator for the District's procedures for the implementation of this policy. It is the intent and desire of the District that equal employment opportunity will be provided in employment, promotions, wages, benefits and all other privileges, terms and conditions of employment.

8.2 HARASSMENT

8.2.1 Statement of Concern - The District will work to eliminate and prevent harassment and to alleviate any effect harassment may have on the working conditions of an employee. All harassment of any employee is forbidden, including unsolicited remarks, gestures or physical contact, display or circulation of derogatory written materials or pictures regarding either gender or disability or racial, ethnic or religious groups, and personnel decisions on an employee's response to such harassment. The District regards job related harassment as a serious transgression and reason for discipline or discharge.

8.2.2 Policy - The policy of the District is that every employee has a right to be free of harassment or hostile or offensive conduct directed at another. In response to formal reports of harassment, the District will protect all parties involved from retaliation, false accusations, or future harassment, and where indicated, will take prompt and adequate remedial measures.

Should an issue of harassment be raised, all related matters will be kept confidential to the extent possible throughout the investigation, counseling and disciplinary stages. Any supervisor or manager receiving notice of harassment shall notify the District Manager, or the Director of Administrative Services who will direct an investigation and ensure that the charge is resolved appropriately.

8.2.3 Reporting Harassment - Any employee who feels that he/she is the object of offensive harassing behavior or is aware of harassment of another employee, and/or is urged to report this to an immediate Supervisor, Department Head, or District Manager. The report shall be in written form.

8.2.4 Response to Reports of Harassment - The District will investigate and promptly take remedial action if deemed appropriate. Reports concerning harassment will be forwarded to the District Manager unless there is an allegation against that person, and if so, then written reports will be forwarded to the District's Board of Directors who will delegate the matter to the District's legal counsel. This procedure will apply to written statements received from reporting employees or written records made by supervisory employees, including department heads. Whenever supervisory

South Suburban Sanitary District – Employee Personnel Policy Manual 2014

employees become aware of allegations of harassment, they will make a written record of the allegations and will forward the record to the District in accordance with this policy.

8.2.5 Investigation - The District Manager or the District's legal counsel or other person designated by the Districts Board of Directors will begin an investigation if necessary. The first pre-investigation step shall be to inquire of all persons reporting as to whether the record now includes all allegations of harassment. The investigation will be conducted promptly on a priority basis. The investigation will be directed at ascertaining the facts concerning the allegations.

The investigator shall cause the person reported to have harassed an employee to be advised of the allegations and to afford such person an opportunity to reply orally or in writing. The employee shall also be advised that any retaliatory conduct will be subject to disciplinary action regardless of allegations of harassment.

The results of the investigation shall be in written form. A finding shall be made that there is or is not reasonable cause for disciplinary action. Nothing in this section shall limit the authority of the District to modify policies or practices to correct any appearance of sexual harassment without finding reasonable cause for disciplinary action or taking any disciplinary action. The report will also include any recommendations to remedy the situation and prevent similar future incidents.

A report, which finds reasonable cause for disciplinary action, will be maintained in the personnel file of any employee subject to discipline. The employee may have placed in the personnel file a statement of rebuttal or correction. For the purpose of this section, a former employee may present such statement.

8.3 IMMIGRATION AND NATIONALITY PROGRAM

8.3.1 Policy - The District recognizes that it has a responsibility to comply with the provisions of the Immigration Reform and Control Act of 1986 by employing only citizens of the United States of America and lawfully authorized alien workers.

The District's policy is to provide equal opportunity to all persons in matters affecting employment with the District, including full compliance with the Immigration Reform and Control Act of 1986. The District shall not discriminate against any individual, other than an unauthorized alien, based on national origin or citizen status.

8.3.2 Procedure - In order to assure compliance with the Immigration and Nationality Act, the District will:

- Consider every job applicant on his or her merits;
- Verify employability and identity in a lawful and consistent way; and
- Maintain complete and accurate documentation of all decisions.