

City of California City

Personnel Manual – Approved June 2015

XII-G. Harassment

Purpose. The City of California City does not tolerate Sexual Harassment, Discrimination, or Harassment based on race, ancestry, national origin, color, sex, sexual orientation, religion, disability, marital status, age, or medical condition. The City of California City provides procedures for victims of sexual harassment/ discrimination/ harassment to report such behavior and disciplinary penalties for those who commit the prohibited behavior. No person, employee or third party, no matter his or her title or position, has the authority, whether expressed, actual, apparent or implied, to commit sexual harassment/ discrimination/harassment.

1. Definition of Harassment includes, but is not limited to:
 - a) Verbal harassment such as epithets, derogatory comments or slurs
 - b) Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement directed at an individual.
 - c) Visual forms of harassment such as derogatory posters, cartoons, or drawings.
 - d) Sexual harassment such as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature, such as name calling, suggestive comments or lewd talk and jokes, if:
 - 1) Submission to such conduct is made, directly or indirectly, a term or condition of working for the City.
 - 2) Submission to or rejection of such conduct is the basis for employment decisions.
 - 3) Such conduct unreasonably interferes with the individual's work performance or has the purpose or effect of creating an intimidating, hostile or offensive work environment.
2. Policy: The City of California City prohibits, forbids, and does not tolerate any employee, manager or visitor, male or female, to harass an employee or non-employee participant in the workplace or to create a hostile or intolerable working environment by exhibiting, committing or encouraging sexual harassment/ discrimination/harassment.

There is no intent by the City of California City to regulate or control any relationship or social interaction of employees, which are freely entered into by both parties. However, if such relationships are developed, the public trust, safety, supervision, and moral of the City will be considered and appropriate actions taken. The following are suggestions to all employees to help establish and maintain a

professional and healthy working environment, while at the same time preventing sexual harassment from occurring.

It is the City's philosophy that employees must set an example of acceptable conduct by not participating in or provoking behavior that is offensive.

When appropriate, and possible, the employee should warn the harasser that the particular behavior is offensive and unwelcome. Make it absolutely clear that you are not interested in or flattered by, uninvited sexual advances. Be specific in advising that person about what conduct is offensive and unwelcome. Make it clear that you will take official action if it continues. Once you have spoken to the harasser, document the incident and subsequent discussion.

If harassing behavior continues, or if you were unable to unwilling to confront the harasser directly, you may follow the reporting procedures as outlined below.

- 3. Reporting:** If you are sexually harassed, discriminated against, or harassed, and have had no resolution once the harasser was confronted, you must report the act of harassment to your immediate supervisor or lead person immediately. If you feel uncomfortable doing so, or if your supervisor is the source of the problem, report to the next level of management or department head. If neither of these alternatives is satisfactory to you then you can direct your questions, problems, complaints, or reports to the Human Resources Manager. You are not required to directly confront the person who is the source of your report, question, or complaint before notifying any of those individuals.

If for any reason none of the above solutions are viable for your situation, you may also use the Employee Hot Line. The phone number is 1-800-576-5252. The code is 10137.

- 4. Investigation:** The City of California City will determine what constitutes sexual harassment/discrimination/harassment based on a review of the facts and circumstances of each situation. The City of California City reserves the right and hereby provides notice that third parties may be used to investigate claims of sexual harassment/discrimination/harassment. Parties involved or believe to be involved must cooperate in any investigation of workplace wrongdoing or risk termination. All employees, including supervisors and managers, will be subject to disciplinary action up to and including discharge, for any act of sexual harassment/discrimination/harassment they are believed to have committed.

5. Confidentiality: Any investigation related to complain under this policy will be conducted with confidentiality and respect for the rights of all individuals involved. Information related to the investigation will be provided on a need-to-know basis only.

6. Retaliation: Any substantiated behavior which retaliates against any individual who seeks a review under this policy will be considered a violation of this policy and will result in serious disciplinary action up to including termination.