

**OKLAHOMA COUNTY JUVENILE BUREAU
POLICY AND PROCEDURE MANUAL**

CHAPTER THREE: PERSONNEL

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POLICY 3.27 Sexual Harassment

I. POLICY

A. The Oklahoma County Juvenile Bureau (OCJB) abides by all federal and state laws (29 CFR 1604.11, OK Admin. Code Sec. 335:15-3-10, etc.) that prohibit sexual harassment and will maintain an employment atmosphere free of sexual harassment, intimidation, and coercion. Every employee has the right to work in an environment free of all forms of discrimination. Sexual harassment of any employee by any other employee will not be tolerated. Employees are required to report complaints of harassment to a supervisor or another authority or administrator in the chain of command. If an investigation of a complaint of sexual harassment produces evidence that such harassment has occurred, appropriate disciplinary actions will be taken. **(2-7032-1) (3-JDF-1C-05-01) (PREA Standards 115.311 and 115.361)**

II. DEFINITIONS

A. Sexual Harassment: Per the Equal Employment Opportunity Commission (EEOC), harassment can include any unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. Harassment does not have to be of a sexual nature, however, and can include inappropriate remarks, comments, gestures, overtures or physical contact. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The following are some examples of conduct which may be legally actionable sexual harassment:

1. The use of any offensive or demeaning terms which have a sexual connotation.
2. Objectionable physical proximity or physical contact.
3. Unwelcome suggestions regarding, or invitations to, social engagements or work-related social events.
4. Any indication, expressed or implied, that an employee's job security, job assignment, conditions of employment, or opportunities for advancement depend or may depend on the granting of sexual favors to any other employee, supervisor or administrator.
5. Any action relating to an employee's job status that is in fact affected by consideration of the granting or refusal of social or sexual favors.
6. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.

7. The deliberate or careless expression of jokes or remarks of a sexual nature to or in the presence of employees who may find such jokes or remarks offensive.
 8. The deliberate or careless dissemination of materials (such as cartoons, articles, pictures, etc.), which have a sexual content and which are not necessary for work, to employees who may find such materials offensive.
- B. Coercion: The act, process, or power of enforcing or bringing about by force or threat

III. PROCEDURE

- A. The rights, feelings and perceptions of all OCJB employees must be respected. Concerns about conditions and issues that affect an employee's work performance should be addressed through normal supervisory and administrative channels (chain of command), whenever possible, including instances when an employee feels that he/she is being subjected to sexual harassment in any form, or believes he/she has witnessed sexual harassment.
- B. Any employee who believes he/she has been subjected to sexual harassment or has witnessed sexual harassment must report the event.
- C. Any employee who believes he/she has been subjected to sexual harassment may directly contact the Human Resources (HR) Manager, Internal Affairs (IA) Supervisor, or Director if they believe the grievance procedure will not adequately address their complaint, especially if a supervisor within the grievance procedure is allegedly involved in the sexual harassment of the employee.
- D. In the event that a sexual harassment complaint is made to a supervisor and that supervisor fails to report the sexual harassment complaint to the HR Manager, IA Supervisor, or Director, disciplinary action will be taken which could result in termination of employment of that supervisor. Sexual harassment complaints shall be kept confidential and communication will occur on a "need to know" basis.
- E. Any employee who believes he/she has been subjected to sexual harassment may also contact the Oklahoma State Human Rights Commission and/or the EEOC.
- F. No retaliation of any kind will occur to an employee because he/she has reported an incident of suspected sexual harassment. Any employee who retaliates against another for such is subject to disciplinary action, up to and including discharge from employment. **(115.367)**

Approved: _____

James L. Saffle, Director

12/31/14
Date