

#### **4-8. SEXUAL HARASSMENT POLICY**

It is the policy of WEST ALLEN PARISH WATER DISTRICT not to discriminate in any employment practices on the basis of race, color, sex, national origin, or religion as prohibited by the federal Civil Rights Act, or on the basis prohibited by any other applicable law. This prohibition on discrimination applies to all aspects of employment, including but not limited to hiring, firing, promotion, assignment, compensation, discipline, and other terms and conditions of employment. It is the responsibility of all employees, supervisory and non-supervisory, to adhere to this policy and to use all efforts to further its goals and spirit.

Sexual harassment, as defined by La.R.S. 42:342, is a form of unlawful discrimination based on sex and shall not be tolerated. In some circumstances, it may also violate other laws. Any form of unlawful discrimination to which this policy applies is a very serious matter and will not be tolerated at WEST ALLEN PARISH WATER DISTRICT. Disciplinary action can be taken against any employee who violates this policy as specified in **Chapter 4 Sections 4-4 to 4-5**. Because there is often a great deal of confusion about sexual harassment it is described here.

Sexual harassment, including, but not limited to, unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature, is unlawful discrimination based on sex when submission to such conduct is explicitly or implicitly a requirement of the individual's employment, or used as a basis for any employment decision concerning that individual, or when such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment as so defined will not be condoned. Our employees are absolutely prohibited from engaging in it. Furthermore, the General Manager is instructed to use all reasonable means to become aware of whether employees are being subjected to sexual harassment. The General Manager who knows or should know that any employee is being subjected to sexual harassment must take immediate corrective action and must report that fact to the Board of Directors. Appropriate disciplinary measures will be taken against employees who cause, engage in, encourage, condone, or otherwise permit unlawful sexual harassment as provided in the above paragraph. Such conduct may be grounds for dismissal from employment. If you feel you have been sexually harassed:

A. Tell the General Manager. During this discussion, feel free to "speak candidly". The General Manager will listen in a friendly, courteous manner, because it is his or her desire to understand and aid in solving problems that arise in your work. Generally, you and the General Manager will be able to resolve your problem. If the General Manager is the person who is sexually harassing you, you should go immediately to the Board of Directors.

B. If you do not get your problems straightened out with your Supervisor, continue to follow the grievance procedures specified in **Chapter 4, Section 6**. He or she will obtain all the facts and endeavor to settle your problem in a fair and equitable manner. If you are still not satisfied, you may arrange to proceed up the chain of command to the board of directors.

There will be no discrimination or recrimination against any employee because he/she presents a complaint or problem. Retaliation for reporting or participating in a claim of sexual harassment is prohibited! If an employee has initiated a claim of sexual harassment, he/she is free to pursue a state or federal claim regardless of the outcome of the investigation. **Be aware: The same penalties will apply to any employee who has been found making intentionally false allegations and claims of sexual harassment against another employee.**

## SECTION 4-6. GRIEVANCES

A grievance is an actual or supposed circumstance regarded as cause for protest.

A. Counseling --- An employee who believes he/she has a valid grievance must submit the complaint orally to the General Manager within five (5) regularly scheduled work days of the incident giving rise to the complaint. The General Manager shall attempt to resolve the complaint promptly and fairly by counseling the employee within two (2) regularly scheduled workdays after the complaint has been submitted.

B. Written Appeal to General Manager --- If the employee is not satisfied with the response to the oral appeal of the grievance, the grievance must be put in writing, signed by the employee, and presented to the General Manager within five (5) regularly scheduled work days. The written grievance shall state:

1. who is affected;
2. what happened;
3. when it happened;
4. where it happened; and
5. what adjustment is requested.

General Manager shall give a written answer to the aggrieved employee within ten (10) regularly scheduled workdays after receipt of the written grievance. If the complaint has not been resolved by this procedure within the stated time limits, the employee has the right to submit written appeal to the Board of Directors, attaching copies of all correspondence concerning the complaint. Each appeal to the next level must be made within five (5) regularly scheduled workdays of management's decision. The aggrieved employee can take the grievance as high as the Allen Parish Police Jury, ***but all other steps in seeing that the grievance is resolved must first be met.*** The Board of Director's decision on any grievance shall be final unless the complainant desires to appeal to the Allen Parish Policy Jury. Grievances may only be filed by employees.

### TIME LIMITS

At any step of the grievance procedures, time limits may be extended only by mutual agreement. If at any time, the General Manager fails to reply to a grievance at any step within the specified time limit, the grievance will proceed to the Grievance Committee. If an employee fails to timely appeal to the next level of management, the grievance shall be resolved based on management's last response. All disciplinary action or grievance of or on the General Manager is brought to the Board of Directors.

### **SECTION 4-3. DISCIPLINARY ACTION**

If, in the discretion of the General Manager, the conduct of the employee is such that the following order of disciplinary actions should not be followed, then General Manager may select other action he/she deems appropriate as approved by the Board of Directors.

A. FRIENDLY WARNING --- The first time a minor violation occurs, the General Manager discusses it with the employee.

B. VERBAL WARNING --- Second time, for the same minor violation, or first time for a serious violation, the General Manager will counsel the employee. Signed documentation of the verbal warning shall become a permanent part of the employee's file and a copy shall be provided to the employee and Board of Directors.

C. WRITTEN WARNING --- Written notice is given to an employee for a third violation offense or for a violation of a more critical nature, according to the following steps:

1. The General Manager will explain the seriousness of the situation;
2. Both parties will discuss possible solutions to the situation;
3. A written warning is completed and signed by both parties;
4. A copy of the form shall become a permanent part of the employee's file and a copy provided to the employee and the Board of Directors.

### **SECTION 4-4. DISCIPLINARY ACTION --- SUSPENSION**

A. The General Manager may suspend an employee who is under his/her supervision for any violation of system policy without pay until the Board of Director's has time to review the situation. A third-party witness must be present during the suspension process. If the disciplinary action/suspension involves the General Manager or Office Manager, then a board member will serve as the third-party witness.

B. General Manager shall give a report in writing to the Board of Directors regarding any suspension.

### **SECTION 4-5. DISCIPLINARY ACTION --- DISMISSAL**

A. The General Manager has authority to terminate the services of any employee because of:

1. A reduction in force;

2. Violation of a disciplinary rule;
3. Unsatisfactory performance; or
4. Gambling while on company time.
5. Other violation.