

Sexual Harassment

Title VII of the Civil Rights Act of 1964 defines Sexual Harassment as an unwanted and unwelcome sexual advance, request for sexual favors, or any other verbal or physical conduct of a sexual nature that occurs on the job.

There are generally four types of sexual harassment:

1. **QUID PRO QUO HARASSMENT** – This takes place when a supervisor takes adverse action against a subordinate because the subordinate refuses to submit to the sexual advances of the supervisor. For example, a department supervisor propositions a subordinate, who spurns the supervisor's advances. The employee is then fired or demoted. This is the most widespread type of sexual harassment prohibited by EEOC guidelines.
2. **THE CREATION OF AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT**. This type of harassment occurs when, as a result of a supervisor's or a co-worker's action, an employee feels that the working environment in the office has become "intimidating, hostile, or offensive." For example, a supervisor or a co-worker propositions an employee. The employee refuses and no adverse action is taken such as being fired or demoted. Despite the absence of an adverse action, the proposition by itself may make the working environment intimidating, hostile, or offensive for the employee.
3. **SPECIAL TREATMENT GIVEN TO CERTAIN EMPLOYEES FOR SEXUAL FAVORS**. A supervisor promotes or gives special treatment to one employee instead of another because of sexual favors granted by the former. Sexual harassment is inflicted on the person who did not get the promotion or special treatment.
4. **HARASSMENT BY OUTSIDERS**. An employee gets unwanted sexual remarks from customers because of her physical endowments. In this case, the supervisor has an obligation to ensure that efforts are undertaken to protect the employee from the unwelcome remarks.

Physical – Some examples of physical sexual harassment are: touching, holding, grabbing, hugging, kissing, "accidental collisions", other unwanted physical contact, and in the worst case, physical assault and rape. Other examples are giving a massage around the neck or shoulders, touching the person's clothing, hair, or body, hanging around a person, patting, stroking, touching oneself sexually around another person, standing too close or brushing up against a person.

Verbal – Some examples of verbal sexual harassment are: offensive jokes, offensive language, threats, comments or suggestions of a sexual nature, whistling at someone, referring to an adult as a girl, doll, baby, or honey, repeatedly asking out a

person who is not interested, making kissing sounds, and telling lies or spreading rumors about a person's personal sex life.

Nonverbal – Staring at a person's body, leaning over someone at a desk, offensive gestures or motions, circulating letters or cartoons and other sexually oriented material, blocking a person's path, following a person, or giving personal gifts.

SOME PRO-ACTIVE STRATEGIES FOR PREVENTING AND RESPONDING TO SEXUAL HARASSMENT:

If you are the target of unwanted sexual attention or behavior you should:

..... Respond to the problem. Confront the harasser and tell them the behavior is not welcome, or is offensive, or both. Make your feelings absolutely clear. Sometimes people don't realize that they are being offensive.

..... Record the times, places, and specific of each incident, including other people who might have observed the incident or your reactions.

..... Report continuing harassment according to your company policy. If there is no formal policy, the employee should report the harassment to their supervisor. If the harasser is the supervisor, you should go to the person who is responsible for the supervisor's actions.

..... Don't feel that you asked for it.

Take action if you are not a victim but observe sexual harassment of another employee by helping the victim make his or her feelings known, following the company policy, and supporting your co-workers by encouraging them to report the sexual harassment according to company policy.

Pro-active Strategies for Supervisors and Employees:

1. Keep your hands to yourself.
2. Do not talk about sex on the job.
3. Keep compliments casual and impersonal.
4. Avoid jokes, words, phrases, and gestures with sexual connotations.
5. Remember each person has personal space and watch for signs or body language that tells you when you are infringing on that space.
6. Respect your co-worker's right to their dignity.
7. Don't jump to conclusions based on someone's dress, actions, or physical appearance.
8. Remember that "NO" means "NO".

Harassment Policy

A Harassment Policy is a key step to establishing a comfortable and safe workplace for all of our employees. St. Landry Parish Clerk of Court's office requires every employee to take responsibility and do their part in keeping the Clerk's office a harassment free organization. It is a requirement that every person who knows of a harassment incident to report the incident to the appropriate individual or department.

Sexual harassment is:

- >Unwanted offensive touching
- >Unwanted offensive romantic attention
- >Offensive sexual speech
- >Offensive sexual conduct, gestures
- >Unwanted exposure to pornography
- >Unwanted offensive sexual texts, emails, facebook/twitter/myspace communications
- >Conditioning job benefits on sex
- >Being forced to have sex to keep or get your job

Sexual harassment is unsolicited, nonreciprocal behavior by an employee who is in a position of authority to control or affect another person's job status. It can be a person who uses the power or authority of that position to cause that employee to submit to sexual activity, or to fear that he or she would be punished for refusal to submit.

Sexual harassment also includes conduct that unreasonably interferes with another person's work performance by creating an intimidating, hostile, or offensive working environment. Sexual harassment consists of a variety of Behaviors by employees directed to other employees including, but not limited to subtle pressure for sexual activity, inappropriate touching, language that may be inappropriate, demands for sexual favors, and physical assault.

All employees of the St. Landry Parish Clerk of Court have a right to a safe work environment. Violence or threats of violence, against employees are

unacceptable and will not be tolerated. Violence or threats of violence include, but not limited to, striking another, pushing, kicking, throwing objects, abusing/destroying property, and physical intimidation, threats (direct, implied or veiled) stalking or harassment.

Other examples of harassment include ethnic or racial slurs, or other verbal and/or physical conduct relating to a person's race, national origin, or any handicap condition. If this interferes with an individual's work performance or creates an intimidating, hostile, or offensive environment. Any act or threat of violence will result in consequences that may include immediate physical removal from this office. Any employee who engages in harassment will be subject to disciplinary action and/or discharge. Any person who believes that they have been subject to harassment or sexual harassment has a right to file a complaint, which will be investigated promptly and confidentially by the harassment officer.

How to report incidents of Sexual Harassment?

1. Contact the Sexual Harassment officer, which is your supervisor.
2. All complaints will be investigated and all information will be kept confidential.
3. There will be no reprimanding or charges against the person making a Sexual Harassment complaint.
4. All employees will have access to the name and number of the Sexual Harassment Resource person/Harassment officer.