

HOUSING AUTHORITY CITY OF LONGVIEW

ADMINISTRATIVE POLICY REGARDING:

**NONDISCRIMINATION AND HARASSMENT
IN THE WORKPLACE**

NONDISCRIMINATION AND HARASSMENT POLICY

POLICY STATEMENT

The Longview Housing Authority is committed to providing all employees with a work environment free of discrimination or harassment of any kind. The purpose of this policy statement is to reaffirm our commitment to equal employment opportunity and to providing a harassment-free work environment for all employees, clients, contractors, and associates of the Authority.

RESPONSIBILITY

Harassment or discriminatory conduct of any kind, whether physical or verbal, committed by supervisors or non-supervisory personnel, is prohibited in the workplace. Prevention of discriminatory activities must be practiced at all times, especially by supervisors. In those cases where discrimination can be established, disciplinary action up to and including dismissal may be taken.

Taking reprisal action against any employee because he or she has filed a discriminatory complaint, furnished information or participated in any manner in an investigation, compliance review or hearing is prohibited. In those cases where reprisal action can be established, disciplinary action up to and including dismissal may be taken.

HARASSMENT DEFINED

Disparate and unfair treatment of any employee or individual because of his or her race, color, sex, religion, national origin, age disability, marital status or sexual orientation is prohibited, as well as groups protected by state laws and local ordinances. This includes harassment and intimidation. Harassment is behavior perceived by the receiver as unwelcome and includes, but is not limited to, the use of verbal or practical jokes, unwelcome touching, offensive remarks or put-downs, displays of objects and materials which create an offensive environment. Actions such as these are prohibited and if repeated they are also unlawful.

To treat employees or groups of employees differently because of their race, sex, age or ethnicity constitutes harassment and creates a hostile or adverse work environment.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is considered sex discrimination not only because of the sexual nature of the conduct to which the victim is subjected but also because the harasser treats a member or members of one sex differently from members of the opposite sex. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an offensive work environment.

Sexual harassment can also include "locker room" talk or conduct wherein gestures and language are inappropriate workplace behavior. It can also include photographs, printed or verbalized jokes or the copying and distribution of pictures or jokes of a sexual nature. Recently, as music lyrics have taken on a graphic posture, it can also include songs and related video pictures.

4. A man as well as a woman may be the victim of sexual harassment, and a woman as well as a man may be the harasser.
5. The harasser does not have to be the victim's supervisor. The harasser may also be an agent of the employer, a supervisory employee who does not supervise the victim, a co-worker, or, in some circumstances, even a non-employee.
6. The victim does not have to be of the opposite sex from the harasser. The crucial fact is whether the harasser treats a member of one sex differently from members of the other sex.
7. The victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim need only be someone who is placed in an offensive working environment by such conduct.
8. There is no requirement that the victim complain to the harasser or report the sexual harassment to the supervisor or employer for the employer to be held responsible for the unlawful conduct when the harassment is committed by the supervisor. The employer will be held responsible for the unlawful conduct of a co-worker or a non-employee if the employer knew or

should have known that the act occurred and failed to take appropriate corrective action.

9. A finding of unlawful sexual harassment does not depend on the victim having suffered a concrete economic injury. The harasser's conduct constitutes sexual harassment when it unreasonably interferes with the victim's work or creates a harmful or offensive work environment.

10. These policies apply to the workplace and any workplace setting, e.g., business trips, business meetings, and business-related social events.

This is by no means an exhaustive list of conduct, which is considered sex discrimination and which will not be tolerated in workplaces.

WHAT TO DO IF YOU HAVE A COMPLAINT

This procedure is meant to provide you with the most comfortable means of reporting unlawful discrimination or harassment. If you feel you are the victim of discrimination or harassment in any form, you are encouraged to first discuss the matter with your supervisor or with another management employee in your department with whom you feel comfortable discussing the matter. Perhaps the problem is due to a simple misunderstanding and can be resolved within the work group. However, you may file an internal complaint with the appropriate Longview Housing Authority staff or the Employee Hotline staff. The following steps have been established for filing and handling complaints of any employee based on alleged acts of discrimination:

1. Any employee may file a complaint by communicating directly with one of the supervisors or the Executive Director. Alternatively, the complaint could be made to the Employee Hotline staff who will bring it to the attention of an internal task force designated for this purpose. The multiple options for presenting a complaint are made available with the intent of giving the employee the opportunity to select a person with whom he/she feels comfortable.

An employee may file a complaint orally by meeting in person with or by submitting it in writing.

2. The internal task force will initiate an immediate investigation. Confidentiality will be maintained as far as is practicable. If it is necessary to make the employee filing the complaint known to others, the employee will be advised in advance and told why it is necessary that he or she be identified.

3. On the basis of the facts developed, the Executive Director or Board of Commissioners will render a determination as soon as possible after completion of the investigation.

The complaining party will be informed about the investigation findings and the remedial action taken.

Employees who file complaints or who testify, assist, or participate in any manner in an investigation or hearing will be safeguarded against intimidation, coercion, or discrimination of any kind. All such acts against complainants or other parties should be reported immediately.

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Employee Protection Line
Anonymous Reporting available by calling:
1-800-576-5262
Organization Code 10077