

Sexual Harassment

Sexual harassment is prohibited by federal, state and local laws, and applies equally to men and women. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when the conduct: (1) explicitly or implicitly affects a term or condition of an employee's employment; (2) is used as the basis for employment decisions affecting the employee; or (3) unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

Such conduct may include but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons; and repeated requests for dates. Office policy further prohibits harassment and discrimination based on sex stereotyping. (Sex stereotyping occurs when one person perceives a man to be unduly effeminate or a woman to be unduly masculine and harasses or discriminates against that person because he or she does not fit the stereotype of being male or female.) The Office encourages reporting of all perceived incidents of sexual harassment, regardless of who the offender may be. Every employee is encouraged to raise any questions or concerns with the Personnel Supervisor or Clerk of Court. If reported to the Personnel Supervisor, the Personnel Supervisor shall report to the Clerk of Court within 24 hours.

All employees shall receive a minimum of 1 hour of education and training on the preventions of sexual harassment during each year of employment. Newly hired employees must receive training within 90 days of employment. On notice, employees should complete the online training and submit compliance documentation to the Clerk of Court. Training may be completed during work hours or, if completed outside normal working hours, employee will receive 1 hour of overtime.

Procedures for Reporting and Investigating Harassment

Employees should report incidents of inappropriate behavior or sexual harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a co-worker, vendor, visitor, or customer, should promptly notify the Personnel Supervisor or Clerk of Court. If the employee feels that sufficient attention has not been given to his or her complaint, they should contact the Executive Director of the Louisiana Clerk of Court's Association, by calling 1-800-256-6660. Every claim of harassment will be treated seriously, no matter how trivial it may appear. All complaints of harassment, sexual harassment, or other inappropriate sexual conduct will be promptly, thoroughly and impartially investigated by the Clerk of Court or Personnel Supervisor.

There will be no retaliation for filing or pursuing a harassment claim. To the extent possible, all complaints and related information will remain confidential except to those individuals who need the information to investigate, educate, or take action in response to the complaint.

All employees are expected to cooperate fully with any ongoing investigation regarding a harassment incident. Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation.

To protect the privacy of persons involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

Investigations may include interviews with the parties involved, and where necessary, individuals who may have observed the alleged conduct or who may have relevant knowledge.

At the conclusion of a harassment investigation, the complainant and the “alleged harasser” shall be informed of the determination.

Penalties for Violation of Anti-Harassment Policy

If it is determined that inappropriate conduct has occurred, the Clerk of Court will act promptly to eliminate the offending conduct, and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action, as the Clerk of Court deems appropriate under the circumstances and in accordance with applicable law.