

**LUCAS COUNTY, OHIO  
BOARD OF COMMISSIONERS**

**NUMBER: 6a  
PERSONNEL X  
ADMINISTRATIVE**

**PAGE 1  
RESOLUTION  
NO: 12-426**

**EFFECTIVE  
DATE: May 1, 2012**

**TYPE:  
POLICY X  
PROCEDURE X**

**SUPERSEDES:  
POLICY # 6  
PROCEDURE #**

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**I. SCOPE**

This policy applies to all employees directly under the appointing authority of the Board of Lucas County Commissioners.

**II. PURPOSE**

To affirm the Board's requirement for a mutually respectful workplace free from harassment and to specify the steps to be taken to report and investigate allegations of harassment.

**III. POLICY**

It is the policy of the Board of Lucas County Commissioners to guard against any improper conduct in all of its departments so as to maintain a workplace for all employees of the Board of Lucas County Commissioners free from discrimination, intimidation, humiliation, insult, ridicule, threats, or offensive physical or verbal abuse of a sexual or personal nature.

**SEXUAL HARASSMENT** is defined as any unwelcome sexual advance, request for sexual favors, or verbal, non-verbal or physical conduct of a sexual nature that meets either or both of the following definitions:

- a. **Quid Pro Quo Harassment** - occurs when submission to or rejection of unwelcome sexual conduct either explicitly or implicitly is made a term or condition of an individual's employment or is used as the basis for employment decisions affecting the individual.
- b. **Hostile Environment** - unwelcome sexual advances or other sexually offensive conduct that doesn't involve a specific reward or punishment but otherwise interferes with an individual's job performance, or creates an intimidating, hostile, abusive or offensive working environment.

**PERSONAL HARASSMENT** is defined as any verbal, non-verbal or physical conduct intended to intimidate, humiliate, threaten, insult or ridicule an individual on the basis of his/her race, color, religion, sex or gender identity, national origin, age, marital status, disability, pregnancy, military/veteran status, genetic information or sexual orientation; or "bullying" as evidenced by such verbal, non-verbal or physical conduct on a repeated basis directed by an employee against another employee or group of employees in the course of their employment, regardless of belonging to a specific group or class.

Examples of harassment (whether sexual or personal) include but are not limited to:

- Suggestive or offensive comments or sounds
- Insults or "Name-Calling"
- Threats

- Obscene or unwelcome jokes
- Obscene or unwelcome gestures
- Written or electronically- transmitted messages that are offensive
- Drawings or Pictures, including those electronically-transmitted, that are offensive
- Unwelcome physical touching
- Intentional damage to an employee's personal property at the workplace

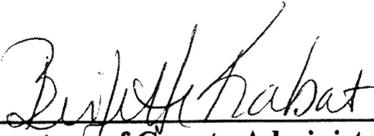
No employee shall initiate, engage in or encourage others to take part in any activity that would violate this policy. All supervisory personnel shall be accountable to take steps to prevent incidents of harassment from occurring within the workplace and to report any such incidents to the Human Resources/County Personnel Department as soon as practicable.

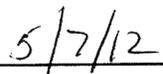
Matters that are determined upon investigation to not rise to the level of harassment as defined by this policy, but are rather situations of interpersonal conflict or professional disagreement, are not considered to be violations of this policy.

#### **IV. REPORTING & INVESTIGATION PROCEDURE**

- a. Before filing a complaint it is strongly encouraged that the offended employee notify the alleged harasser that his/her behavior is unwanted and offensive and/or refer the matter to their supervisor.
- b. Any employee who wishes to file a complaint about alleged harassing behavior prohibited by this policy will do so in writing to the Human Resources/County Personnel Department. A form will be available to file such complaints.
- c. Upon receipt of a written harassment complaint, the Human Resources/County Personnel Department shall begin an investigation with consultation as needed from the County Prosecutor's office. The investigation shall proceed as discreetly and quickly as possible and be completed within forty-five work days using the following guidelines:
  - 1) The complainant shall be interviewed first.
  - 2) The alleged harasser(s) shall then be made aware of the allegations and interviewed
  - 3) Witnesses, if any, including persons to whom contemporaneous complaints have been made, shall be interviewed.
  - 4) All persons interviewed will be reminded not to discuss the matter with other co-workers.
  - 5) All relevant physical evidence shall be collected at each stage of the interview process.
  - 6) Evidence and testimony shall be weighed by the Human Resources/County Personnel Department.
  - 7) Appropriate action (including disciplinary action if warranted) shall be recommended to the Department Head and the Board of Lucas County Commissioners, through the County Administrator or Assistant County Administrator. If disciplinary action of a bargaining unit employee will be sought as a result of the findings of the investigation, the Union shall be provided with notice of the intent to discipline in accordance with applicable collective bargaining agreement language. The Complainant shall also be notified of the results of the investigation.
- d. It is also a violation of this policy to retaliate in any way against any employee who files a complaint of harassment or against any witness(es) who provide information regarding that complaint.
- e. It is further a violation of this policy to file a complaint that is later determined to be frivolous or false upon completion of the investigation.

- f. Violation of this policy is considered a "Failure of Good Behavior" as specified in Ohio Revised Code 124.34 and/or applicable collective bargaining agreements. Any employee found to be in violation of this harassment policy, or any supervisor who knowingly allows a violation of this policy without taking appropriate action, shall be subject to disciplinary action up to and including removal.
  
- g. The Human Resources/County Personnel Department shall ensure that this policy is disseminated and made available to all covered employees, including new hires, and shall arrange for periodic harassment awareness training. Annually, the Human Resources/County Personnel Department will provide resources to covered departments to assist them in reminding employees of this policy.

  
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Signature of County Administrator

  
\_\_\_\_\_  
Date