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S.O.P.#: 26.004
Effective Date: September 7, 2018
Replaces S.O.P: Existing 26.004 (dated December 20, 2017)

HARASSMENT

I. PURPOSE

It is the policy of the Caddo Parish Sheriff's Office that harassment of Caddo Parish Sheriff's Office employees, applicants for Caddo Parish Sheriff's Office employment, and of the public by Caddo Parish Sheriff's Office employees because of race, color, creed, sex, disability, age, national origin, affectional preference, marital status, public assistance status, religion or for any other reason is strictly prohibited. The Caddo Parish Sheriff's Office and its management are committed to vigorously enforcing its harassment policies at all levels. This policy reflects Title VII of the Civil Rights Acts of 1964 as well as Act 270 of 2018 of the Louisiana Legislature (R.S. 42: 341-345).

II. OBJECTIVES

- A. To establish the Caddo Parish Sheriff's Office policy on harassment and its applicability.
- B. To identify behavior that constitutes harassment.
- C. To devise a procedure that describes how complaints of harassment are reported and resolved.

III. SCOPE

This policy is applicable to all appointed, commissioned, and non-commissioned personnel (both full and part-time).

IV. POLICY

Caddo Parish Sheriff's Office employees have a responsibility for maintaining a high standard of honesty, integrity, impartiality and conduct in order to ensure the proper performance of the Caddo Parish Sheriff's Office business and to maintain the confidence of the citizens. It is therefore the policy of the Caddo Parish Sheriff's Office that harassment is unacceptable conduct in the workplace and will not be condoned. It is also the policy of the Caddo Parish Sheriff's Office that harassment is unacceptable conduct and will not be condoned at any time when an employee is on duty, or is in uniform or acting in the course and scope of his/her duties. Employee conduct which violates these standards will not be tolerated. Harassment increases hostilities, creates an offensive working environment, adversely affects productive working relationships, increases costs to the Department and its citizens, obstructs the Department's vision of diversity and quality, and tarnished the public service image of the Caddo Parish Sheriff's

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Office. This policy is equally applicable to harassment between supervisors and subordinates, between co-workers, between employees and non-employees, and/or those served by such.

V, DEFINITIONS

As used in this policy, the following are defined:

- A. Harassment – Includes verbal or physical conduct that demeans or shows hostility toward an individual and creates an intimidating or hostile environment. Harassment because of race, color, creed, sex, disability, age, national origin, affectional preference, marital status, public assistance status, or religion is prohibited.
- B. Sexual Harassment – Unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual nature constitute 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 the basis for employment decisions affecting such individual, or
 - 3) Such conduct is unwelcomed or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive environment. It is important to remember that "offensive environment" sexual harassment is behavior that is perceived as offensive by the complaining individual.

The following are examples of acts that violate this policy. This list shall not be construed as an all-inclusive list of prohibited acts:

- Rape, sexual battery, molestation or attempts to commit those offenses
- Preferential treatment or promise of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward
- Whistling or catcalling
- Touching, pinching, patting, grabbing, hugging, squeezing, groping, fondling
- Vulgar or obscene jokes

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- Crude or vulgar language
 - Commenting on clothing of an individual in a sexual way
 - Referring to someone in demeaning terms (“girl”, “honey”, “hunk”, “sweetie”, “babe”, “darling”, “sugarpie”)
 - Displaying pictures, posters, cartoons, calendars, or other materials that are sexually suggestive, sexually demeaning, or pornographic
 - Repeatedly asking someone for a date after being turned down
- C. Sexual Favoritism – The granting or withholding of employment opportunities and benefits including, but not limited to, job assignments or promotions, constitutes sexual harassment against other persons when such uninvolved persons were qualified for but denied that employment opportunity or benefit or were subjected to unequal discipline.
- D. Retaliation – Arbitrary discipline, unwarranted change or work assignments, providing inaccurate work information, or failing to cooperate or discuss work-related matters with any employee because that employee has complained about, been a witness to or resisted harassment, discrimination or retaliation; intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described in this policy.
- E. Employee – Any individual, regardless of status, employed by the Caddo Parish Sheriff’s Office or volunteers working under the supervision of the Caddo Parish Sheriff’s Office.

VI. GENERAL PROCEDURE

- A. Reporting Complaints – Any employee desiring to report an incident of harassment shall report the incident within five (5) working days of the occurrence. The complaint may be presented by the complainant in written or verbal form to the Internal Affairs Captain. In any event, the complaint shall be recorded in writing by the Internal Affairs Captain or his/her designee and signed by the complainant. The complaint will include:
- 1) Complainant’s name, position, division, and department.
 - 2) Accused’s name, position, division, and department.
 - 3) A description of the incident(s) including dates/times of occurrence and witnesses.

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- 4) What remedy the employee desires.
- B. Complaints are to be filed directly with the Internal Affairs Captain or his/her designee who will in turn immediately notify appropriate departmental managers and if needed, the Department attorney.
- C. Where behaviors may be offensive and the offended party has a desire to stop the behaviors without formal procedure, the employee may notify the offending party directly, but is not required to do so.
- D. Any supervisor or department head who becomes aware of harassment anywhere within the Caddo Parish Sheriff's Office shall promptly report the facts to the Internal Affairs Captain or his/her designee.
- E. Administrative Inquiry
- 1) The Internal Affairs Captain or the Sheriff's designee upon receipt of the complaint shall have five (5) working days to conduct an administrative inquiry, which may involve the Caddo Parish Sheriff's Office attorney.
 - 2) At the conclusion of the inquiry, the Internal Affairs Captain or his/her designee shall formulate a finding of either misconduct or no misconduct under this policy's definition and review the results with all material parties including the complainant and department head and the Caddo Parish Sheriff's Office attorney.
 - 3) Should any disciplinary action be initiated as a result on the inquiry, it shall be conducted in accordance with policy 26.002 (Discipline).
 - 4) Confidential records of the inquiry shall be maintained by the Personnel Department and/or Internal Affairs.
 - 5) A determination of misconduct in a harassment complaint may result in written reprimand, fine, suspension, demotion, or termination depending on the nature and severity of the misconduct and the past disciplinary record of the employee.
- F. It is a violation of this policy to retaliate or engage in any form of reprisal because a person has raised a concern, filed a complaint, or been a witness to sexual harassment. Any form of retaliation will result in disciplinary action up to and including suspension or termination depending on the

nature and severity of the retaliatory acts and the past disciplinary record of the employee.

VII. PROHIBITED BEHAVIOR

- A. Prohibited sexual harassment will be said to exist when unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature occurs with any or all of the following conditions:
 - 1) When submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
 - 2) When submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
 - 3) When such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, demeaning, degrading, or offensive working environment.
- B. Prohibited racial harassment will be said to exist when racial slurs or other conduct based upon race has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, demeaning, degrading, or offensive working environment and in other circumstances.
- C. Prohibited religious harassment will be said to exist when religious slurs or other conduct based upon religion has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, demeaning, degrading, or offensive working environment and in other circumstances.

VIII. PREVENTION

Prevention will be promoted through training and education, coordinated through the Training Academy, of Caddo Parish Sheriff's Office employees relative to practicing proper work conduct. All Caddo Parish Sheriff's Office employees have an obligation to take appropriate actions to prevent harassment from occurring or continuing in the work place.

IX. LEGISLATIVE BACKGROUND

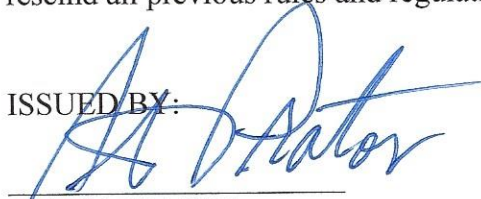
- A. State law reference – LSA – R.S. 42: 341-345

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- B. Federal law reference – Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. 2000 e et. seq, and 29 C.F.R. 1604.11

This Standard Operating Procedure becomes effective on September 7, 2018 and shall rescind all previous rules and regulations pertaining to the subject.

ISSUED BY:



STEVE PRATOR
SHERIFF