



WORKPLACE HARASSMENT AND DISCRIMINATION POLICY

LSLBC PERSONNEL POLICY 33

Est. 05/09/2011

Rev. 01/15/2014

I. POLICY

The Board strictly prohibits harassment and discrimination within the workplace on the basis of race, color, religion, sex, gender, age, disability, political affiliation, pregnancy, military service and national origin. Verbal or physical conduct which creates an intimidating, hostile or offensive work environment will not be tolerated. Examples of comments constituting harassment or discrimination include epithets, slurs, name-calling, jokes and negative stereotyping. Similarly, written and pictorial materials which degrade, demean or otherwise show hostility towards an employee because of or based upon a prohibited factor are likewise prohibited.

The Board also strictly prohibits employment decisions based upon or influenced by non-merit factors, including race, color, religion, sex, gender, age, disability, political affiliation, military service or national origin. Employment decisions affecting employees known to be disabled or pregnant shall be handled in accordance with applicable state and federal laws. Such decisions include hiring, continued employment, discipline, evaluations, wages, promotions, assigned duties, benefits and other such terms or conditions of employment or career development.

All employees must refrain from engaging in prohibited conduct within the workplace. Managers and supervisors are responsible for discussing this policy with subordinates and insuring that the workplace is free of all forms of harassment and discrimination. Any employee violating this policy will be appropriately disciplined, including the possibility of termination from service.

II. PURPOSE

The Louisiana State Licensing Board for Contractors (Board) is committed to providing its employees a work environment free of harassment and discrimination. To do so, the Board has established this policy to define the many forms of harassment and discrimination that are prohibited in the workplace, and the procedure for effectively reporting such conduct.

III. APPLICABILITY

This policy shall be applicable to all employees of the LSLBC.

IV. DEFINITIONS

1. Harassment/Discrimination based on sex

Includes verbal or physical conduct of a sexual nature that creates an intimidating, hostile or offensive work environment, including unwelcomed sexual advances and requests for sexual favor. See the Board's Sexual Harassment Policy for specific prohibitions and reporting requirements.

2. Harassment/Discrimination based on race or color

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon an individual's race or color. People of any race or color may be victims of racial harassment. Also includes employment decisions based upon an individual's race or color.

3. Harassment/Discrimination based on religion

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon religion or religious beliefs. People of any faith may be victims of religious harassment. Also includes employment decisions based upon an individual's religion.

4. Harassment/Discrimination based on gender

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon gender. Both males and females can be victims of gender harassment. Also includes employment decisions based upon an individual's gender.

5. Harassment/Discrimination based on pregnancy

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon pregnancy, childbirth or related medical conditions. Special leave and workplace accommodations under state and federal law must be afforded pregnant females. Also includes employment decisions based upon an individual's pregnancy.

6. Harassment/Discrimination based on national origin

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon national origin. Examples include inappropriate behavior because of an individual's birthplace, ancestry, culture, surname or other characteristics common to a specific ethnic group. Similarly, equal employment opportunities cannot be denied based upon a person's marriage or association with a member of a particular ethnic group, attendance or participation in schools, churches, temples, mosques, etc. Also includes employment decisions based upon an individual's national origin.

7. Harassment/Discrimination based on age

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon an individual's age. The Age Discrimination in Employment Act (ADEA) protects individuals age 40 and over and prohibits employment decisions based upon an individual's age.

8. Harassment/Discrimination based upon political beliefs/affiliation

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon an individual's political beliefs or membership in a particular political party. Also includes employment decisions based upon an individual's political beliefs/affiliation.

9. Harassment/Discrimination based upon disability

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon disability. Also includes employment decisions based upon an individual's disability. See the Board's policy on the Americans with Disabilities Act for a full understanding of the rights and protections afforded employees who suffer a disability.

10. Harassment/Discrimination based upon military service

Includes verbal or physical conduct that creates an intimidating, hostile or offensive work environment based upon an individual's military service. Also includes employment decisions based upon an individual's military service. The Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA) affords military servicemen special leave and benefit entitlements.

V. PROCEDURES

1. Complaint Procedure

Any employee experiencing or witnessing harassment/discrimination of any nature by anyone, including any manager, supervisor, co-worker, vendor, contractor or visitor, shall immediately report the inappropriate conduct. Any such complaint may be made verbally or in writing. Under most circumstances, complaints should be made to the employee's supervisor. If the complaint involves the employee's supervisor or someone within the direct line of supervision, or if the employee, for any reason, is uncomfortable reporting to his/her supervisor, he/she may contact any other supervisor or directly contact:

LSLBC Human Resources
2525 Quail Drive
Baton Rouge, Louisiana 70808
(225) 765-2301 x233

2. Investigation of Complaint

- a. All reports of harassment, discrimination or other such inappropriate behavior shall immediately be reported to the Executive Director who, in conjunction with the Human Resources Section, will initiate the investigative process.
- b. The Board will investigate all complaints. Informal complaints or requests to withhold investigation (unless or until a future occurrence) will be treated the same as a formal complaint and investigated immediately.
- c. To prevent further occurrences or to preserve the integrity of the investigation, temporary reassignments, transfers, forced leave or other personnel actions permissible under the Civil Service Rules may be utilized.

- d. The investigation will be thorough and include interviews with the complainant, the accused, witnesses and other individuals possessing relevant information. Records, logs, reports or other documentation pertinent to the investigation will be reviewed.
- e. The investigative process will generally be memorialized, thus requiring that all involved prepare written statements or provide verbal statements that will be recorded.
- f. Persons called upon during the investigation are required to answer all questions truthfully and cooperatively.
- g. The investigative process will be conducted expeditiously and professionally, with appropriate emphasis on the rights of all involved.
- h. The investigative process will be conducted in a confidential manner, with only those in a need-to-know position involved.
- i. The complaining employee and accused will be apprised of the outcome of the investigation, with appropriate emphasis on the rights of all involved.

3. Complaint Resolution

- a. Any employee found, after investigation, to have engaged in prohibited harassment/discrimination will be appropriately disciplined in accordance with the Civil Service Rules. Such action may include counseling, reprimand, suspension, demotion, reassignment or termination.
- b. In addition to corrective action, other appropriate measures, including training and follow-up inquiries, will be utilized to insure that such behavior does not recur.

VI. NON-RETALIATION

- 1. Any employee making a good faith complaint of prohibited harassment/discrimination will be protected from retaliation, reprisal and harassment.
- 2. Any employee providing information or participating in the investigation of a complaint of harassment/discrimination will be protected from retaliation, reprisal and harassment.
- 3. If a complaint is made and the investigation reveals that retaliation, reprisal or harassment has occurred against a complaining employee or anyone participating in the investigative process, severe disciplinary action will be taken, including the possibility of termination from service.

VII. FEDERAL AND STATE LAWS

This policy is intended to supplement rather than replace or supersede the private and/or statutory procedures regarding harassment/discrimination available to employees under state and federal law including, but not limited to, Title VII of the Civil Rights Act of 1964, as revised, La. R.S. 23:331 et seq., the Americans with Disabilities Act, the Age Discrimination in Employment Act and the Pregnancy Discrimination Act. Employees should be aware of the time delays and requirements of law which require the filing of a complaint with the Equal Employment Opportunity Commission or the Louisiana Commission on Human Rights.

VIII. QUESTIONS

Questions or concerns regarding harassment/discrimination or the application or enforcement of this policy should be addressed to Human Resources. Except for compelling reasons, any such inquiries will be maintained in strict confidence.

s/ Michael McDuff
Executive Director