

311 ANTI-HARASSMENT POLICY

The Clermont County Board of Developmental Disabilities is committed to providing a work environment (including all educational programs, activities, and employment practices) that is free from harassment, bullying, discrimination, and retaliation. Note, however, it is not a violation of this policy for a member of management to expect performance improvement with the understanding that if such improvement is not forthcoming, the employee may face discipline or termination. Corrective action should be offered in a constructive manner not calculated to embarrass or humiliate the employee.

No employee shall unlawfully harass, bully, discriminate or retaliate against any other employee, service provider, contractor, client of the Board, member of the public or any other individual with whom the employee interacts in connection with the employee's job duties.

Harassment and discrimination include actions, words, jokes, or comments, etc. based on race, color, religion, gender identity, sexual orientation, national origin, disability, age, ancestry, genetic information, military status, or any other legally protected characteristic of the individual.

Definitions

Harassment: Unwanted, offensive conduct that insults, demeans, or causes a person to feel intimidated, degraded, humiliated, or that creates a hostile environment.

Sexual harassment: harassment that includes unwanted sexual advances, verbal or physical conduct of a sexual nature, or requests for sexual favors.

Retaliation: an act of harm, intimidation, or negative action taken in return for a previous action

Complainant: a person or entity that initiates a formal complaint

Respondent: is a person who has been accused of engaging in conduct that could constitute harassment or discrimination

Protected Classes: race, color, religion, gender identity, sexual orientation, national origin, disability, age, ancestry, genetic information, military status, or any other legally protected characteristic of the individual.

A. Compliance Officers

Any supervisor or management employee who observes any behavior that could be interpreted as harassment or discrimination is responsible for taking immediate action to stop the behavior and to report the incident to the Superintendent and/or Human Resources.

Complaints of harassment and discrimination should be filed with Dan Ottke, Superintendent 513 732-4930 or dottke@clermontdd.org or Kathy Booth, Human Resources 513 732-4929 or kbooth@clermontdd.org.

B. Prohibition of Retaliation

The Board strictly prohibits retaliation against anyone who reports, files a complaint, or participates in an investigation.

C. Sexual harassment prohibited

The Board neither condones nor tolerates sexual harassment or discrimination in the workplace, whether committed by supervisory or non-supervisory employees. No Board employee is permitted to imply or threaten that cooperation with or refusal of advances of a sexual nature will influence an individual's status, advancement, assignment, career development, compensation or another condition of employment or appointments.

D. Notification of policy

The Superintendent (appointing authority) has communicated and delegated the responsibility for administration and compliance with this policy to all levels of management. A written statement of this policy will be given to each student's custodial parent or guardian at least once during the school year. This statement will include compliance officer contact information.

E. Staff Training

All staff will receive ongoing training to identify and address bias and harassment.

F. Complaint investigation

1. An employee who believes that they are a victim of harassment or discrimination may contact any supervisory employee, whether the supervisor is in the employee's department or agency, and/or the EEO Officer, Kathy Booth, kbooth@clermontdd.org or 513 732-4929 to file a formal complaint. Upon receipt of such a complaint, a supervisor or the EEO Officer must immediately (within one business day) notify the Superintendent or their Designee. The Superintendent

will immediately (by the end of the following business day) order a thorough investigation of the complaint and, if the complaint is valid, take necessary steps to halt the harassing behavior. The Superintendent reserves the right to take a reasonable time to complete the investigation once it has begun. In the interest of maintaining confidentiality to the extent possible, the EEO Officer will conduct the investigation. If the EEO Officer is unavailable, the Officer will assign the conduct of the investigation to a responsible member of the Superintendent's staff.

2. If the Superintendent is the subject of a complaint, the County Prosecutor will conduct the investigation.
3. Upon being advised, either orally or in writing, of a complaint of harassment, the Superintendent (or another appropriate individual, as identified in #1 above) will investigate as follows:
 - a. The employee will be required to document the complaint in writing. The report will include a factual description of the incident(s) which the employee considers to constitute harassment.
 - b. If the investigator, after a discussion with the complainant and such witnesses as the investigator deems necessary, finds that the complaint is credible and may constitute harassment, the alleged offender will be required to meet with the Superintendent/Designee to be advised of the complaint, and be given an opportunity to respond.
 - c. If, at the conclusion of that discussion, the investigator has reason to believe the reported acts did occur and did constitute harassment, that finding will be reported in the investigator's final report to the Superintendent. After investigation, all complaints will receive a final report, even those deemed without merit.
 - d. If the Superintendent has reason to believe that the reported acts did occur and did constitute prohibited harassment, the employee will be advised that such conduct is improper and in violation of federal and state law and that the employee is subject to disciplinary action, up to and including discharge.
 - e. The Superintendent will thereafter take appropriate disciplinary action. The Superintendent/Designee will continue to monitor the behavior of the harassing employee to ensure no repetition of the offensive behavior.
 - f. All complaints and the results of investigations will be held confidential to the extent possible.

All management staff will be routinely trained to recognize, investigate, and attempt to prevent all circumstances of harassment.

Violations of this policy will not be tolerated. Any employee guilty of harassment will be disciplined in accordance with the policies outlined in the Clermont County Board of DD's Board Policy.

Any employee who falsely accuses another employee of unlawful harassment will be disciplined in accordance with the policies outlined in the Clermont County Board of DD's Board Policy.

Contact information for filing a complaint with the Office of Civil Rights

Denver Office

Office of Civil Rights

U.S. Department of Education

Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO 80204-3582

Phone: 303-844-5695

Fax: 303-844-4303; TDD 800-877-8339

Email: OCR.Denver@ed.gov