

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Sexual Harassment Policy	PAGE <u> 1 </u> OF <u> 3 </u> NUMBER: 32-EEO-02
RULE/CODE REFERENCE: 42 U.S.C. 2000e; Title VII; ORC 4112	SUPERSEDES: 32-EEO-02 dated 10/25/09
RELATED ACA STANDARDS: 4-4056; 2-CO-1C-11; 2-CI-6D-2; 1-CTA-1C-14; 2-1050; 2-1050-1; 3-3053	EFFECTIVE DATE: February 13, 2015
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

It is the purpose of this policy to establish uniform guidelines in order to ensure a workplace free of sexual harassment.

III. APPLICABILITY

This policy applies to all employees, volunteers, contractors, vendors, and applicants for employment in the Ohio Department of Rehabilitation and Correction.

IV. DEFINITIONS

Sexual Harassment - Any unwelcome or unwanted sexual advances, requests for favors, and other verbal or physical conduct of a sexual nature.

Quid Pro Quo Sexual Harassment - Submission to such conduct by an individual is made explicitly or implicitly a term or condition of employment, and submission to or rejection of such conduct by an individual is used as the basis for a significant change in employment status.

Hostile Work Environment Sexual Harassment - Severe and pervasive conduct that has the purpose or effect to interfere with an individual's work performance, or creates an intimidating or hostile environment. Examples of behaviors that violate this policy include, but are not limited to: suggestive comments, sexual jokes, gestures, slurs or innuendoes, display of sexually suggestive objects or pictures, unwanted touching, rubbing, patting or pinching, blatant or subtle forms of pressure for sexual activity, explicit descriptions of the harasser's own sexual experiences, staring or leering upon a particular area of the body and unsolicited or unwelcome flirtations and advances of propositions.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to provide a workplace free of sexual harassment, in compliance with state and federal law. Sexual harassment is strictly prohibited.

VI. PROCEDURES

The prevention and elimination of sexual harassment in the workplace is everyone's responsibility. This includes the reporting of such incidents, employee training, counseling, proper investigation and, when appropriate, discipline.

A. Posting of Policy

A copy of this policy shall be posted on employee bulletin boards at each facility throughout the Department.

B. Reporting

1. An employee who believes he or she has experienced sexual harassment must promptly notify his or her immediate supervisor of such acts. If his or her supervisor is the individual believed to be engaging in harassing behavior, the employee must promptly notify his or her supervisor's supervisor or the appointing authority.
2. Reports of sexual harassment may be filed by Incident Report (DRC1000), memorandum, or by formal complaint, consistent with Department Policy 32-EEO-01, Anti-Discrimination Policy. Such reports shall be promptly investigated at the institutional or local level (as applicable). Information and advice on all EEO matters may be obtained from an institution/office EEO representative or the EEO Section of the Office of Human Resources.
3. Any individual who receives a complaint of sexual harassment must immediately report the complaint to the appointing authority. The appointing authority must immediately initiate an internal investigation into the allegations and take appropriate action when necessary.
4. For additional information or questions on sexual harassment concerns please visit the DRC Intranet website page below.
<http://intra/index2.php?id=185>
5. For more information or to file a complaint with the Department of Administrative Services State Equal Opportunity Division (SEOD) within 30 days of the alleged sexual harassment incident the employee Complainant can call 614-466-8380 or go to the website listed below:
<http://das.ohio.gov/Divisions/EqualOpportunity/AffirmativeActionEqualEmploymentOpportunity/EEOComplaintProcess.aspx#EEOComplaintProceduresstart>

6. Employees may also contact and or file formal complaints of sexual harassment with the Ohio Civil Rights Commission (OCRC) within six (6) months of the alleged discriminatory incident at <http://crc.ohio.gov>. Employees may also contact and or file with the U.S. Equal Employment Opportunity Commission (EEOC) within 300 days of the alleged sexual harassment incident at <http://www.eeoc.gov> . Information on how to file with these agencies shall be available from any EEO representative or the EEO Section of the Office of Human Resources or the respected agencies.

C. Sanctions and Discipline

1. Appropriate sanctions will be imposed on individuals found in violation of this policy, pursuant to DRC's Standards of Employee Conduct and applicable collective bargaining agreements. Such discipline may include counseling, reprimands, suspensions, demotions, transfers, and/or removal.
2. Discipline may also be imposed on those who fail to properly report, investigate, or take action when they observe or become aware of sexual harassment.

D. Prohibition Against Reprisals or Retaliation

Intimidation, coercion, threatening, taking reprisals, discriminating against or otherwise retaliating against any individual for reporting or filing a complaint of discrimination or acting as a witness in such a case is strictly prohibited.

Related Department Forms:

Incident Report

DRC1000