

Cancels: PO01-037, Harassment Prevention, dated July 2, 2001

PO01 - 037 HARASSMENT PREVENTION

DISCUSSION

The Department of Natural Resources is committed to providing an environment that is free from harassment. This commitment supports our principle of respectful relationships, and our workforce diversity efforts. The department's commitment extends to all department employees, volunteers, and others with whom we do business. This policy also covers behaviors that occur off duty where there is a connection to the workplace.

Actions that do NOT violate this policy include the appropriate exercise of supervisory responsibilities. These responsibilities include, but are not limited to:

- Providing direction or feedback about an employee's job performance and behavior.
- Monitoring and follow-up actions on job performance.
- Guidance to change or adjust job priorities.

POLICY

NO TOLERANCE – The following behaviors are not tolerated by the department.

Prohibited Behaviors

It is the policy of the DNR that all employees have the right to conduct their work activities in an environment that is free from any form of inappropriate behavior. Inappropriate behavior means behaviors that create a hostile, intimidating, or offensive environment or that interfere with an employee's work performance. Examples include making derogatory remarks, malicious gossiping, yelling, making threats, using obscene or foul language, physical intimidation, withholding essential resources with the intent to make someone unsuccessful (sabotage), and/or efforts to isolate or ostracize an individual through social pressure.

Sexual Harassment

Sexual harassment is defined as a form of sex discrimination and is an unlawful employment practice under the Washington State Law Against Discrimination (RCW 49.60) and Title VII, of the Civil Rights Act of 1964. Sexual harassment occurs through unwelcome sexual advances, requests for sexual favors, and other gender-based verbal or physical conduct when any of the following criteria are met:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or

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- Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting an individual; or
- The conduct has the purpose or effect of unreasonably interfering with an individual's job performance or creates a work environment that is intimidating, hostile, or offensive.

Other Forms of Harassment

Harassment occurs through verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation/gender identity, national origin, marital status, age, veteran or military status, genetic information, or disability (including use of a trained dog guide or service animal), or that of his/her relatives, friends, or associations.

Retaliation

Retaliation against any person for filing a complaint about any prohibited behavior including allegations of discrimination or harassment, for cooperating or participating in an investigation of such a complaint, or for opposing discriminatory employment practices will not be tolerated. Retaliation could include, but is not limited to, harassment or adverse employment actions.

Every employee, volunteer, contractor, and others doing business with the department has an obligation to:

- Create and maintain a workplace that is free from inappropriate behavior; and
- Not engage in any inappropriate behavior, either in the workplace or when off duty where such behavior could impact the work environment; and
- Fully cooperate in the investigation of any complaint or incident of inappropriate behavior, sexual harassment, or other forms of harassment or retaliation.

Managers and supervisors have an additional obligation to:

- Take immediate steps to stop the behavior as soon as they become aware of the situation; and
- Promptly report to their Appointing Authority and to Human Resources Division (HRD) any knowledge of inappropriate behavior.

Manager and supervisors who fail to report and all employees who violate this policy may be subject to disciplinary action, up to and including termination from employment. Non-

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employees may be subject to other appropriate departmental action (e.g. termination of volunteer opportunities).

Training

The department requires and provides both harassment prevention training and refresher training. Every DNR employee must attend harassment prevention training within the first six months of her/his employment with the department and attend subsequent refresher training every three years.

IMPLEMENTATION

Anyone who has been subjected to inappropriate behavior as described in this policy is encouraged to tell the offending individual directly that the behavior is unwelcome and attempt to resolve the issue at the lowest level. If she/he is not comfortable doing so, or if an attempt has been unsuccessful, he/she should report the alleged policy violation to his/her immediate supervisor, the supervisor of the alleged offending employee, or any supervisor of the agency, and HRD. Affected employees may request short-term special work arrangements to provide relief while the complaint is being evaluated and resolved. Such requests will be given careful consideration and a timely response.

An employee who witnesses inappropriate behavior should report it to her/his immediate supervisor, the supervisor of the alleged offending employee, or any supervisor of the agency, and HRD.

Supervisors and managers are required to stop and report all observed and reported allegations of behaviors which may violate this policy. If a complaint is made to a supervisor or manager they will forward the complaint to HRD. The department will respond to all allegations of behavior prohibited by this policy. The HRD Manager, or designee, will review each complaint on a case-by-case basis to determine appropriate resolution measures. If an investigation is necessary, it will be conducted in accordance with the department's Employee Misconduct Investigations policy.

Complaints of harassment based on a protected status (such as race, sex, disability, etc.) may also be filed with the Equal Employment Opportunity Commission – <http://www.eeoc.gov> or with the Washington State Human Rights Commission – www.hum.wa.gov.

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Employees may also seek assistance and use the free services of the Washington State Employee Assistance Program.

Approval Date: 10/20/2011

Approved By: /S/

Leonard S. Young
Department Supervisor

SEE ALSO

[Title VII, Civil Rights Act of 1964 \(as amended\)](#)

[EEOC Guidelines 29 CFR 1604.11](#)

[Governor's Executive Order 93-07](#)

[RCW 49.60 - Washington Law Against Discrimination](#)

[WAC 357-25 - Affirmative Action](#)

[DNR Core Competencies](#)