

## **TOLEDO-LUCAS COUNTY HEALTH DEPARTMENT**

### **TITLE: HARASSMENT PREVENTION POLICY**

**EFFECTIVE DATE: January 20, 2014**

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**SCOPE:** This policy applies to all employees directly under the appointing authority of the Toledo-Lucas County Regional Health District – Board of Health.

**PURPOSE:** To affirm the Board’s requirement for a mutually respectful workplace free from harassment and to specify the steps to be taken to report and investigate allegations of harassment.

**POLICY:** It is the policy of the Toledo-Lucas County Regional Health District – Board of Health to guard against any improper conduct in all of its departments so as to maintain a workplace for all employees of the Toledo-Lucas County Board of Health Department to be free from discrimination, intimidation, humiliation, insult, ridicule, threats, or offensive physical or verbal abuse of sexual or personal nature.

### **SEXUAL HARASSMENT**

Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or verbal non-verbal or physical conduct of a sexual nature that meets either or both of the following definitions:

- a. Quid Pro Quo Harassment – occurs when submission to or rejection of unwelcome sexual conduct either explicitly or implicitly is made a term or condition of an individual’s employment or is used as the basis for employment decisions affecting the individual.
- b. Hostile Environment – unwelcome sexual advances or other sexually offensive conduct that doesn’t involve a specific reward or punishment but otherwise interferes with an individual’s job performance, or creates an intimidating, hostile, abusive or offensive working environment.

### **PERSONAL HARASSMENT**

Personal harassment is defined as any verbal, non-verbal or physical conduct intended to intimidate, humiliate, threaten, insult or ridicule an individual on a basis of his/her race, color, religion, sex or gender identity, national origin, age, marital status, disability, pregnancy, military/veteran status, genetic information or sexual orientation; or “bullying” as evidenced by such verbal, non-verbal or physical conduct on a repeated

basis directed by an employee against another employee or group of employees in the course of their employment, regardless of belonging to a specific group or class.

Examples of harassment (whether sexual or personal) include but are not limited to:

- Suggestive or offensive comments or sounds
- Insults or “Name-Calling”
- Threats
- Obscene or unwelcome jokes
- Obscene or unwelcome gestures
- Written or electronically-transmitted messages and/or images that are offensive
- Unwelcome physical touching
- Intentional damage to an employee’s personal property at the workplace

No employee shall initiate, engage in or encourage others to take part in any activity that would violate this policy. All supervisory personnel shall be accountable to take steps to prevent incidents of harassment from occurring within the workplace and to report any such incidents to the TLCHD Human Resources Office as soon as practicable.

Matters that are determined upon investigation to not rise to the level of harassment as defined by this policy, but are rather situations of interpersonal conflict or professional disagreement are not considered to be violations of this policy.

### **REPORTING & INVESTIGATING PROCEDURE**

- a. Before filing a complaint it is strongly encouraged, but not required, that the offended employee notifies the alleged harasser that his/her behavior is unwanted and offensive and/or refer the matter to their supervisor.
- b. Any employee who wishes to file a complaint about alleged harassing behavior prohibited by this policy will do so in writing to the TLCHD Human Resources Representative or directly to the Deputy or Health Commissioner with investigation by Human Resources.
- c. Upon receipt of a written harassment complaint, the TLCHD Human Resources Representative shall begin an investigation with consultation as needed from the County Prosecutor’s office. The investigation shall proceed as discreetly and quickly as possible and be completed within forty-five work days using the following guidelines.
  1. The complainant shall be interviewed first
  2. The alleged harasser(s) shall then be made aware of the allegations and interviewed
  3. Witnesses, if any, including persons to whom contemporaneous complaints have been made, shall be interviewed.

4. All persons interviewed will be reminded not to discuss the matter with other co-workers.
  5. All relevant physical evidence shall be collected at each stage of the interview process.
  6. Evidence and testimony shall be weighed by the TLCHD Human Resources Office.
  7. Appropriate action (including disciplinary action if warranted) shall be recommended to the Department Director and the Deputy/Health Commissioner. If disciplinary action of a bargaining unit employee will be sought as a result of the findings of the investigation, the Union shall be provided with notice of the intent to discipline in accordance with applicable collective bargaining agreement language. The Complainant shall also be notified of the result of the investigation.
- d. It is also a violation of this policy to retaliate in any way against any employee who files a complaint of harassment or against any witness (es) who provide information regarding the complaint.
- e. It is further a violation of this policy to file a complaint that is later determined to be frivolous or false upon completion of the investigation.
- f. Violation of this policy is considered a “Failure of Good Behavior” as specified in Ohio Revised Code 124.34 and/applicable collective bargaining agreements. Any employee found to be in violation of this harassment policy, or any supervisor and/or Director who knowingly allows a violation of this policy, or fails to take appropriate action, shall be subject to disciplinary action up to and including removal.
- g. The TLCHD Human Resources Office shall ensure that this policy is disseminated and made available to all covered employees, including new hires, and shall arrange for periodic harassment awareness training. Annually, the TLCHD Human Resources Office will provide resources to the various divisions to assist them in reminding employees of this policy.

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David Grossman, M.D.  
Health Commissioner

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Date