

2.2 Anti-Harassment Procedures

Personnel Procedures Approved: 5/8/2008

1. PURPOSE: To establish procedures to prevent harassment by and toward City Employees.
2. ORGANIZATIONS AFFECTED: All departments/divisions.
3. REFERENCES: Washington State Law Against Discrimination; Title VII of the Civil Rights Act of 1964, as amended.
4. PROCEDURES:

The City of Bothell is committed to maintaining a work environment that is free from discrimination and harassment. In keeping with this commitment, the City will not tolerate harassment of City employees by anyone, including any City official or employee, volunteer, vendor, client, or customer of the City.

- A. Definition of Harassment. Harassment consists of unwelcome conduct, whether verbal, physical, or visual, including slurs, comments, gestures, jokes, innuendos, touching, pictures, cartoons, pranks, and unwelcome compliments, that: (1) is based upon gender, color, race, ancestry, religion, national origin, age, physical or mental disability, medical condition, veteran status, citizenship status, sexual orientation, or other protected group status; and (2) creates an intimidating, hostile, or offensive working environment, or unreasonably interferes with an individual's work performance or employment opportunities. Sexual harassment is a type of harassment that occurs when the types of conduct described above are sexual in nature or directed at a person because of his or her gender. Sexual harassment also occurs when employment opportunities or benefits are conditioned on an employee granting sexual favors to, or having a romantic relationship with, a supervisor or manager.
- B. Other Inappropriate Conduct. Not every incident of inappropriate conduct constitutes harassment in violation of these procedures. Isolated incidents of offensive conduct are not necessarily unlawful harassment. For example, random words that offend a particular employee may not be sufficient to constitute harassment. Nonetheless, if an employee is offended by such behavior it is important that they follow these procedures so the offensive behavior can be identified, evaluated, and corrected.
- C. All City employees are responsible for helping to assure that we prevent harassment. Supervisors and managers are expected to model appropriate behavior as well as to intervene if they witness potentially harassing behavior. Supervisors or managers receiving a complaint or

2.2 Anti-Harassment Procedures

Page 2 of 2

observing inappropriate behavior should immediately report it to their Department Director or the Human Resources Director.

If you feel that you have experienced or witnessed harassment, you should take the following action:

1. Identify the offensive behavior to the harasser, if appropriate, and request that it stop;
 2. If you are uncomfortable doing this, or the conduct does not stop, you must discuss your concern with a non-involved supervisor, department director, or the Human Resources Director.
 3. Participate in the investigation about the offensive behavior. Although the City cannot assure total confidentiality for employees who report incidents of inappropriate conduct, every effort will be made to protect the rights and feelings of all parties concerned.
 4. If for any reason you are uncomfortable with Steps 1 or 2 above, you should contact the City's Employee Assistance Program at 800-570-9315 (APS Healthcare) or 800-553-7798 (Wellspring Family Services EAP).
- D. Organizational Procedures. When a supervisor or Department Director is notified of alleged harassment, they should promptly advise the Human Resources Director. The Human Resources Director, jointly with the non-involved Department Director, will decide the appropriate level of investigation for the complaint. The investigation may include interviews with the directly-involved parties, and where necessary, employees who may have observed the alleged harassment or who may also be recipients of harassment, and who may be able to share information about their experiences with the accused party.
- E. Disciplinary Action. Following investigation, the complainant and the accused will be notified whether harassment was found to have occurred. An employee who is found to have harassed another employee will be disciplined. Disciplinary action may include verbal and/or written reprimands, a letter of reprimand to the employee's personnel file, suspension, or termination.
- F. Non-retaliation. No employee will be retaliated against in any way for complaining of harassment or providing information in connection with the investigation of a harassment complaint.
- G. Malicious Complaints. Complaints of harassment that are found, following investigation, to be contrived or willfully intended to cause harm to the accused person are a violation of these procedures, and the complainant is subject to disciplinary action.