

EQUAL OPPORTUNITY AND NON-DISCRIMINATION

3.01- Policy

A. There shall be no discrimination exercised based on race, national origin, color, religion, age, disability, marital status, gender, genetic information, pregnancy, and political affiliation with respect to the recruitment, examination, or appointment of applicants, or in any personnel transactions involving employees, including training, promotion, and disciplinary actions.

B. The County will not tolerate the harassment of any of its employees, supervisors, co-workers, vendors, customers, or anyone else. All personnel are responsible for maintaining a workplace that is free of harassment and intimidation. If it is determined that harassment has occurred, immediate and appropriate disciplinary action will be taken to end the harassment.

C. Any person who feels that he or she is being harassed or discriminated against must immediately report the offensive conduct to his or her direct supervisor. However, if the employee's direct supervisor is in any way involved in the alleged inappropriate behavior or is unavailable, the employee should report the conduct directly to the Clerk of Court. If the employee's direct supervisor and the Clerk of Court are involved in the alleged inappropriate conduct or are unavailable, immediately contact the Board's Human Resource Officer. Finally, if the employee's direct supervisor, the Clerk of Court, and the Board's Human Resource Officer are involved in the alleged inappropriate conduct or are unavailable immediately contact the Chairperson of the Board of County Commissioners.

3.02- American with Disabilities Act

A. It is the intent of Liberty County to comply with the mandates of the Americans with Disabilities Act. In that regard, disabled individuals are encouraged to apply for positions and the County will reasonably accommodate such individuals, both in any pre-employment testing and/or with respect to the job applied for. Pursuant to the Americans with Disabilities Act, any employee with a disability is encouraged to inform their supervisor, Department Head, or the Clerk of Court, for discussions regarding reasonable accommodation. A more detailed American with Disabilities Act Policy is incorporated into and attached to this Personnel Policy.

3.03- Sexual Harassment Prohibited

A. Liberty County is opposed to and will not tolerate sexual harassment. Liberty County is also equally opposed to bad faith claims of sexual harassment which are claims of sexual harassment that have no basis in fact or justifiable employee perception and are deliberately made to adversely affect the employment or personal relationships of persons against whom the complaint is made. Employees who believe they have been discriminated against, including sexual harassment, may file a complaint with the office of their Department Head or the Liberty County Board of County Commissioners office.

3.04- Definitions and Examples of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and any other physical, verbal, or visual conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is an explicit or implicit term or condition of employment or continued employment; or
2. Submission to or rejection of the conduct is used as a basis for employment decisions affecting an employee, such as promotion, demotion, or evaluation; or,
3. The conduct has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment; and,
4. Sexual harassment may include, but not limited to:
 - (a) using the computer to access any web site, news group, CD, floppy disk, or any other resource, that contains material that is of a sexual nature.
 - (b) the publication, to anyone, or documents (including pictures and text) in the workplace that contain any material that is of a sexual nature.

3.05- Definitions and Examples of Other Forms of Harassment

Unlawful harassment is verbal or physical conduct that shows hostility or aversion toward an individual because of their race, color, religion, gender, national origin, age, marital status, genetic information, pregnancy, or disability when it:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Has the purpose or effect of unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

All personnel are responsible for maintaining a workplace that is free of harassment and intimidation.

3.06- Procedures

A. Any person who feels that he or she is being harassed or discriminated against must immediately report the offensive conduct to his or her direct supervisor. However, if the employee's direct supervisor is in any way involved in the alleged inappropriate behavior or is unavailable, the employee should report the conduct directly to the Clerk of Court. If the employee's direct supervisor and Clerk of Court are involved in the alleged inappropriate conduct or are unavailable, immediately contact the Board's Human Resource Officer. Finally, if the employee's direct supervisor, Clerk of Court and Human Resource Officer are involved in the alleged inappropriate conduct or are unavailable immediately contact the Chairperson of the Board of County Commissioners.

B. All claims, once reported, will be investigated by a person designated by the Board of County Commissioners or the Clerk. A file for each complaint or problem reported will be opened by the Department Head or Board of County Commissioners and will be separate from the personnel files of individuals involved. The file will be confidential to the extent permitted by law.

C. Upon completion of the investigation, a record will be made in the separate file to document the findings. If disciplinary action is appropriate, the Board of County Commissioners or a designee will take such action.

D. Persons directly involved will be made aware of the decision. If the decision involves discipline of an employee, a copy of the actual notice of disciplinary action will be placed in the employee's personnel file. Because of the extremely sensitive nature of these types of claims and cases, investigators will request all persons interviewed to keep the contents of their interview confidential to the extent permitted by law. Department Heads or other personnel are discouraged from discussing the complaint with anyone not directly involved in the investigation and may be subject to discipline, up to and including discharge.