I. PURPOSE

It is the policy of the County of Wayne to prohibit all conduct and language which may interfere with an employee’s job performance or creates an intimidating, hostile or offensive work environment.

II. POLICY PROVISIONS

1. Federal law provides the following definition of sexual harassment which Wayne County specifically incorporates into its employment policies: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; 2) submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile or offensive work environment.

2. All employees are responsible for their own conduct, and the management staff has additional responsibility to ensure a work environment free from improper conduct. It is impossible to list all conduct or remarks which could be characterized as sexual harassment, or to draw the line between what is appropriate and inappropriate. However, harassment may include, but is not limited to degrading comments; innuendoes; gestures which create an intimidating, hostile, or offensive work environment.

3. Everyone’s perception of conduct is different—what one person may find amusing, another person may find offensive. Therefore, employees must refrain from any conduct which may be questionable. Particularly, employees who supervise others must avoid placing themselves in situations where even the appearance of sexual harassment or improper conduct is a possibility. The prohibition is between supervisor and subordinate and between co-workers or vendors.
4. Wayne County will take affirmative steps to prevent harassment for occurring and to deal fairly with all reported incidents. Confidentiality will be maintained to the extent possible; however disclosure of the complaint’s identity may be necessary during the course of the investigation.

5. Where an investigation determines a complaint has merit, action will be taken to both deal with the conduct and prevent its recurrence. Offending employees, including management staff, risk discipline up to and including termination and may be subject to civil liability. If an investigation results in a determination that an employee maliciously and falsely accused another of discrimination, they will be subject to disciplinary action up to and including termination.

6. Retaliatory action against an employee seeking redress under this policy is prohibited and shall constitute a separate and distinct cause for complaint under this policy.

7. Any employee who believes they have been subjected to sexual harassment in violation of this policy, may file a complaint with the Department of Personnel/Human Resources.

III. ENFORCEMENT

Commission of any one (1) of the above acts may results in remedial action ranging from verbal to written discipline, suspension from work without pay, to immediate termination.

IV. DISCLAIMERS

If in direct conflict with other internal or departmental policy, this policy will be considered to be the overriding policy unless otherwise directed by the Director of Personnel/Human Resources or his/her designee.

In the event that any provision of this policy is in conflict with the terms and conditions of existing collective bargaining agreements (CBA), the terms and conditions of the agreements shall take precedence. On those topics where the CBA is silent, the provisions of this policy shall apply.

V. RELATED DOCUMENTS

a. Anti-Discrimination Laws
b. EEO Policy
c. Collective Bargaining Agreements
d. Wayne County Charter
e. Civil Service Commission Rules
### VI. REVISION HISTORY

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