

# City of Johns Creek Police Department

<i>Subject:</i>	Unwanted Conduct or Behavior	<i>Number:</i>	04-25
<i>Reference:</i>	Employee Policy Manual	<i>Amends:</i>	
<i>Effective:</i>	04/08	<i>Review Date:</i>	Annually
		<i># of Pages:</i>	2

## **PURPOSE:**

Establish guidelines governing certain unwelcome and unwanted behaviors ensuring a working environment that is not hostile nor offensive to any member of the Department.

## **Definition:**

Any sexual, ethnic, gender, racial, or religious harassment is, first, an offense against this Department and, second, an offense against a specific employee or a group of employees. Unwanted conduct includes physical or verbal actions that have the purpose or effect of creating a hostile, offensive, or intimidating working environment or have an ethnic, racial, religious, gender, or sexual basis, or both. Harassment of a sexual nature may not only provide grounds for action by the Department against the offender, but may also subject the offender to civil and/or criminal liability.

## **POLICY: (04-25)**

The Johns Creek Police Department hereby adopts a policy prohibiting any and all gender, sexual, ethnic, racial, or religious harassment (otherwise defined as unwanted conduct or behavior). This policy is enacted to ensure a quality working environment for all employees of the Department, and to ensure employees will not be subjected to either intimidation, humiliation, insult, or any offensive physical action, or any offensive verbal abuse or remarks of a sexual, ethnic, racial, gender, or religious nature in the work place.

Examples of harassment shall include, but are not limited to, any unwanted or unwelcome physical contact of a sexual nature, or any sexual, racial, ethnic, gender, or religious related jokes, comments, insults, photographs, displays, cartoons, innuendo, personal conduct, or any mannerisms or behaviors that may be construed by another as offensive or discriminatory.

Sexual harassment may be any offensive conduct or behavior that shall include, but is not necessarily limited to, verbal comments, visual conduct, requests for sexual favors, or any sexual advances, unwanted or unnecessary patting, touching, pinching, or the obvious intentional brushing against the body, or the rubbing or touching of sexual parts or areas of one's self or another.

## **Department's Responsibility: (04-25-01)**

It is the Department's position to take affirmative action to prevent any such unwanted conduct or behavior from occurring, and to deal with all complaints and reported incidents in a fair, impartial and speedy manner. All complaints or incidents will be investigated on a case by case basis. In those incidents where a violation has been shown to occur, immediate action will be taken to remedy the situation, eliminate the undesired behavior, and prevent its recurrence.

Sustained violations of this policy, as related to members of this Department engaging in this type of conduct or behavior, will result in disciplinary actions up to and including termination of employment.

#### **Employee Responsibilities: (04-25-02)**

All persons who violate this policy shall be subject to disciplinary procedures ranging up to and including discharge. It is each employee's responsibility to eliminate all forms of harassment and unwanted conduct.

It is every supervisor's responsibility to prevent such conduct, or investigate and report such behavior, particularly if such conduct is occurring in their assigned area of responsibility.

Each employee of the Department shall, within established policies, cooperate in any investigation wherein the employee may be involved either as a victim, a witness, or as the accused in a complaint of unwanted conduct.

Each employee shall conduct him/herself in such a manner that they do not become suspect of any unwanted conduct and shall refrain from any physical or verbal conduct or behavior that might be construed to be offensive by a reasonable third party.

#### **Reporting Violations: (04-25-03)**

When an incident of unwanted conduct occurs, it should be reported as soon as practical to the employee's immediate supervisor. In the event the incident of unwanted conduct or behavior has been committed by the employee's immediate superior(s), then the affected employee shall report the incident or conduct to the next highest uninvolved supervisor in the chain of command. If action is not taken at any level of reporting, the affected employee shall report the conduct or behavior to the Chief of Police, or the Human Resources Director for the City.

#### **NOTE:**

This policy does not supersede the policies of the City of Johns Creek, and is not to be construed to be in conflict with the City of Johns Creek Employee Policy Manual in regards to sexual harassment. The City has a zero tolerance level regarding any form of sexual harassment and recognizes this type behavior has been defined by the courts to be sexual discrimination. The City's Personnel Policy Manual also outlines the reporting procedures and the investigative process.

