

**General Guidelines/Standard Operating Procedure
Harassment, Discrimination, Hostile Work Environment Claims**

The summary below defines the general guidelines/SOP practices the Human Resources office uses to respond to claims of harassment, discrimination and hostile work environment.

Unlawful harassment is considered a form of discrimination and is defined as any conduct directed toward another because of that person's race, color, religion, age, gender, sexual orientation, national origin, ancestry, disability, or veteran status, or any other basis that is inappropriate or offensive as determined by using a reasonable person standard. The "reasonable person" standard considers conduct in question offensive.¹

Additional information that defines prohibited conduct is found in the IVGID Personnel Policies. Further, "hostile work environment" refers to a type of employment discrimination where an employer creates or fails to remedy a work environment that becomes unreasonable based on a protected classification (as noted above).

The District's response to allegations of discrimination and/or unlawful harassment, to include hostile work environment is as follows: (below is a synopsis of the process; it is not all-inclusive, but rather highlights the key processes. Staff should refer to the District's personnel policies for additional details)

1. Employees who believe they, personally, are being or have been subjected to discriminatory action and/or are the target of any form of unlawful harassment by another employee, customer, vendor, contractor, etc) because of their protected class; or any employee who has witnessed another employee being subjected to discrimination and/or harassing behavior, have an affirmative duty to bring the situation to the attention of the District.²
 - a. Employees are asked to:
 - i. Identify the offensive behavior to the alleged harasser and request that the harasser cease the conduct. If the employee feels uncomfortable in speaking directly to the alleged harasser, or if the employee requested the harassing behavior to cease after speaking with the harasser but the request did not produce the results desired, the employee should report the conduct as soon as possible to a supervisor/manager or to the District's Human Resources Department, the General Manager, the Chair of the Board of Trustees or the District's General Counsel.
 - ii. If reported to someone other than a Human Resources representative or the Director of Human Resources, such reported information must be immediately submitted to HR for review, investigation and corrective action (if determined).
 - iii. The designated HR representative (typically the Senior HR Analyst or HR Director) will thoroughly investigate the claim. This often includes discussing the incident with the accuser, the accused, identified witnesses and applicable

¹ IVGID Personnel Policies, 2.3.1

² IVGID Personnel Policies, 2.4.1

management. All staff involved in the investigation are asked to keep such matters confidential, so as to protect the integrity of the investigation.

- iv. Once completed, a determination of action will be made. If the investigation indicates the complaint held merit, corrective action (up to and including termination of employment) will be determined based on the severity of the incident. If evidence arises that intentionally false statements/accusations were made, corrective action (up to and including termination of employment) will be taken. If termination of employment is recommended, the Director of Human Resources and/or the Senior HR Analyst will request further review and recommendations from the District's General Counsel.
 1. If the claims accuse the General Manager, the Director of Human Resources will collaborate with the District's General Counsel to evaluate the claim(s) and determine appropriate course of action.
 2. If the claims accuse a member of the Board of Trustees or voluntary member of an advisory committee, the Director of Human Resources will provide detailed information to the General Manager for review and action determination. Based on the severity of the claim, the Director of Human Resources may include the District's General Counsel on such communication provided to the General Manager. The HR Director will await further direction.

Throughout the process of reporting, investigating and determining corrective action based on a claim of harassment or discrimination, staff are reminded of the District's policy prohibiting retaliation against an employee who exercises his/her right to report unlawful behavior³. Any employee who believes he/she has been retaliated or discriminated against as result of having filed a complaint (or having been a part of a complaint investigation) should immediately notify the Director of Human Resources for additional investigation and determination of corrective action.

³ IVGID Personnel Policy 2.4.7