



**Office of Human Resources
Standard Operating Procedure
HR SOP #505**

Subject: Harassment

Effective Date: August 16, 2018

Policy Statement:

The Georgia Department of Natural Resources does not tolerate the harassment of agency employees, customers, vendors or applicants. Harassment relating to an individual's race, color, sex/gender (including same sex), religion, age, national origin, disability or citizenship status is a violation of this procedure. Such harassment violates an individual's fundamental right and personal dignity and undermines the integrity of the workplace. Violations will subject an employee to disciplinary action up to and including dismissal from employment.

The Georgia Department of Natural Resources does not tolerate harassment from agency employees, customers, vendors, applicants or other third parties.

Definitions:

Harassment (Other Than Sexual Harassment): Verbal or physical conduct that disparages or shows hostility or aversion toward an individual because of that person's race, color, religion, gender, national origin, age, or disability constitutes harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- Such conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment; and/or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute 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 for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited sexual harassment can take many forms (physical, verbal, visual and/or electronic) and can be physical and/or psychological in nature.

The following behaviors are unacceptable and prohibited, even if not unlawful in and of themselves. *Prohibited behavior is not limited to the following:*

- Offensive remarks, jokes, slurs, pictures, drawings, photographs or written materials, including e-mail, pertaining to an individual's race, color sex/gender, pregnancy, religion, age, national origin, disability, citizenship status, perceived lack of attractiveness or perceived sexual desirability;
- Offensive sexual remarks, sexual banter, sexual gestures, sexual advances or requests for sexual favors regardless of the gender of the individuals involved;
- Quid pro quo (e.g., You do something for me and I will do something for you.);
- Offensive or unwelcome physical conduct/contact, including gestures, touching, leering, patting, pinching, and brushing against someone's body, regardless of the gender of the individuals involved;
- Foul or obscene language; or
- Threatening a reprisal or retaliating against an employee for refusing to respond to a sexual advance or a request for a sexual favor, or for reporting a violation of this policy.

Provisions:

Employees are expected to be aware of and to refrain from any conduct or behavior that could be construed as harassment or sexual harassment. Harassing behavior will not be tolerated in the workplace.

Employees:

All employees are expressly prohibited from engaging in any form of harassment or sexual harassment.

Supervisors:

All supervisors and managers are expressly prohibited from:

- Engaging in any form of harassment or sexual harassment;
- Knowingly permitting such harassment in assigned work unit(s);
- Suggesting to any employee or applicant that his or her initial or continued employment or advancement will be affected by his or her participation or refusal to participate in any form of a personal relationship; and /or
- Threatening a reprisal or initiating an adverse employment action against an employee for reporting a violation of this procedure.

Vendors and Third Parties:

Harassment or sexual harassment of Department employees by non-employees (e.g., vendors, customers, or other third parties) in conjunction with official duties and responsibilities will not be tolerated.

Procedure:

Complaint:

If an employee believes that he or she is being harassed or sexually harassed by another employee, vendor, customer or other third party, the employee should inform the individual that the conduct is unacceptable and must stop. If the employee feels uncomfortable discussing the matter with the individual, the employee should immediately report the matter to his or her supervisor or reviewing manager to ensure that the conduct does not continue.

An employee observing the harassment or sexual harassment of an employee by another employee, vendor, customer or other third party shall report the matter to anyone in the employee's management chain/structure or to the DNR Human Resources Director.

If the behavior involves an employee's immediate supervisor, anyone in the employee's management chain/structure or other management representative, or if an employee feels uncomfortable in discussing the matter with these individuals, the employee should contact the DNR Human Resources Director.

A complaint will be kept as confidential as possible and no employee will be penalized for reporting inappropriate and harassing behavior on the part of another employee, vendor, customer or other third party.

Questions as to what constitutes harassing behavior or what conduct is prohibited by this policy may be directed to anyone in the employee's management chain/structure or to the DNR Human Resources Director.

Alternative Employee Complaint Procedure:

An alternative option to report harassment is through the Employee Complaint procedure. For more information, see HR SOP #303, *Employee Complaint Resolution*, on the DNR intranet: http://dnrintranet.org/sites/default/files/dnrnet/pdf/HR303_EEComplaintReso_SOP_416.pdf.

Action Required:

Managers are directed to take immediate action as necessary to ensure the harassment does not continue. All complaints will be promptly, thoroughly and impartially investigated. At the conclusion of the investigation, supervisors/managers must take appropriate action in consultation with the Division HR Representative. If an employee believes that a complaint is not being managed properly, or in a timely manner, he or she should contact the DNR Human Resources Director.

At the conclusion of an investigation, the complainant will be notified of the results and action(s) taken by the Department.

Responsibilities:

The DNR Human Resources Director shall be responsible for advising employees on questions pertaining to the administration of this procedure.

As a condition of employment, all employees, both full-time and part-time, are required to read and become familiar with the provisions of this procedure. Additionally, as part of the new hire process and then periodically, each employee must sign an *Acknowledgment Statement – Human Resources and Administrative Services Standard Operating Procedures* (Attachment 1) acknowledging awareness, understanding and compliance of this and all Human Resource policies and procedures. The *Acknowledgment Statement – Human Resources and Administrative Services Standard Operating Procedures* will become a permanent part of the employee's personnel record.

Consensual Romantic or Sexual Relationships:

Special relationships between a manager or other supervisory employee and his or her subordinates are prohibited. See HR SOP #204, *Employment of Family Members/Special Relationships* for requirements regarding special relationships.

Consequences:

Any employee found to have violated the provisions of this procedure will be subject to disciplinary action up to and including dismissal from employment.

Attachments:

Attachment 1 – *Acknowledgment Statement – Human Resources and Administrative Services Standard Operating Procedures*