

	POLICY & PROCEDURE	SERIES # 808	PAGE 1 OF 3
	SUBJECT HARASSMENT IN THE WORKPLACE		EFFECTIVE DATE 5/30/98
			OVERSIGHT CHIEF'S OFFICE
	DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P # 808 dated 5/4/94	

I. PURPOSE:

The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigation and resolution of complaints of harassment, sexual or otherwise.

II. POLICY:

It is the policy of the Hampton Police Division that all employees have the right to work in an environment free of sexual, racial, religious, ethnic and other unlawful harassment. The Division does not condone, and will not tolerate, such harassment. Therefore, the Division shall take direct and immediate action to prevent such behavior, and to remedy all known instances of harassment, sexual or otherwise. It is the policy of the Hampton Police Division to prohibit any acts of harassment, sexual or otherwise.

III. DEFINITIONS:

A. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature when:

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

B. Harassment (in general) is any behavior which adversely affects an employee's work performance by creating an intimidating, hostile, or offensive work environment.

APPROVED:
CHIEF OF POLICE



IV. PROCEDURE:

A. Responsibilities:

1. Each supervisor shall be responsible for preventing acts of unlawful harassment. This responsibility includes:
 - a. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
 - b. Counseling all employees on the types of behavior prohibited, and the Division procedures for reporting and resolving complaints of harassment;
 - c. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his line of supervision; and
 - d. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.
2. Each supervisor has the responsibility to assist any employee of the Division, who comes to that supervisor with a complaint of harassment, in documenting and filing a complaint with the Office of Professional Standards and/or the City's Director of Minority Programs.

B. Complaint Procedures:

1. Employees encountering harassment should tell the person that their actions are unwelcome and offensive. The employee is encouraged to document all incidents of harassment in order to provide the fullest basis for investigation.
2. Any employee who believes that he is being harassed shall report the incident(s) to his supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical (i.e., the offending party is in the complainants chain of command), the employee may instead file a complaint with the Office of Professional Standards, Chief of Police or directly with the City's Director of Minority Programs, Federal EEO Officer, or use the City's grievance procedure.
 - a. The supervisor or other person to whom a complaint is given shall meet with the employee and document the incidents complained of, the person(s) performing or participating in the harassment, and the dates on which it occurred.
 - b. The Division employee taking the complaint shall expeditiously deliver the complaint to the Office of Professional Standards.

3. The Office of Professional Standards shall be responsible for coordinating the investigation of any complaint alleging harassment with the City's Director of Minority Programs.
 - a. The Office of Professional Standards shall immediately notify the Chief of Police and the prosecutor's office if the complaint contains evidence of criminal activity, such as battery, rape or attempted rape.
 - b. The appropriate investigator shall include a determination whether other employees are being harassed by the person, and whether other Division members participated in, or encouraged the harassment.
 - c. The Office of Professional Standards shall inform the parties involved of the outcome of the investigation.
 - d. A file of harassment complaints shall be maintained in a secure location.
4. This policy does not preclude any employee from filing a complaint or grievance with any other EEO enforcement agency.

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