

203 - SEXUAL HARASSMENT

Section 203.01 County Policy on Sexual Harassment

Fort Bend County has zero tolerance for sexual harassment. Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of sex. In addition, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment. Fort Bend County is aware that sexual harassment is an especially offensive and intimidating occurrence that may place a person in a difficult position of having to balance concerns and fears with a competing desire for privacy and sensitivity.

Any employee who has a complaint of sexual harassment is encouraged to make an appointment with the Human Resources Director, or the County Judge if the employee is not comfortable discussing the matter with their immediate supervisor, elected official or department head. Fort Bend County wishes to assure all employees that sexual harassment will not be tolerated and that every effort has been made, and will continue to be made, to educate the County's elected officials, department heads, supervisors and employees regarding the prevention of, and discipline for, sexual harassment on the job.

If you have any questions about sexual harassment, you are encouraged to contact your supervisor or the Human Resources Department. With your help, Fort Bend County can make your work place a comfortable and professional environment.

Section 203.02 Definition of Sexual Harassment

The Equal Employment Opportunity Commission defines unlawful sexual harassment as unwelcome sexual advances, requests for sexual favors and other physical, verbal or visual conduct based on sex when:

1. Submitting to the conduct or being subjected to the conduct is a term or condition of employment, including hiring, promotion, pay, fringe benefits, job training, classification, referral, and other aspects of employment;
2. The conduct unreasonably interferes with an individual's performance on the job or it creates a hostile, offensive or intimidating work environment.

Section 203.03 Procedures Regarding Reports and Investigations of Sexual Harassment Complaints

Fort Bend County is committed to preventing sexual harassment. The following steps should be followed if an employee feels they are being sexually harassed:

1. Tell the harasser that his or her conduct is unwelcome, request that the harasser stop the unwelcome conduct immediately, and inform the harasser that their conduct may result in criminal charges as well as termination from County employment.

2. If the conduct persists, REPORT IT to your supervisor, the Human Resources Director, or the County Judge if you are unable or unwilling to discuss it with your supervisor.
3. If a complaint of sexual harassment is brought to the County's attention, it will be INVESTIGATED immediately by the Human Resources Department or County Judge in conjunction with the County Attorney's Office. The investigator assigned may be male or female depending on the incident.
4. If the investigation tends to prove that the sexual harassment did occur or was likely to have occurred, Fort Bend County will take prompt corrective action to END the harassment, RETURN lost benefits or opportunities to the employee, and RESTORE a proper work place environment. The harasser will be subject to appropriate disciplinary action, up to and including termination of employment.
5. Fort Bend County will not tolerate retaliation of any kind and in any manner. This protection extends not only to individuals who complain about unlawful harassment, but also to those who serve as witnesses in investigations.
6. Confidentiality will be maintained as much as possible regarding complaints of unlawful harassment. However, absolute confidentiality cannot be promised as complaints may be disclosed during the course of the investigation, but only to those who need information to conduct an investigation and/or take corrective action.

Please refer to Section 601 of this manual for additional information on the resolution of disputes in the workplace.

Policy Approved and Adopted By:
Fort Bend County Commissioners Court
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