

**LEELANAU COUNTY
BOARD POLICY**

GENERAL SUBJECT: Organization Policies
Administrator

Policy No. **2.02**

SPECIFIC SUBJECT: Sexual Harassment Policy

Adopted: 05/17/2005

Revised: 10/08/2013

APPLIES TO: All Leelanau County Employees and Elected Officials.

PURPOSE: To establish clearly and unequivocally that Leelanau County prohibits sexual harassment of its employees in any form, and to establish procedures by which such allegations of sexual harassment may be filed, investigated and resolved.

1. Sexual Harassment Defined. Sexual harassment is unlawful discrimination and is prohibited by this policy and by law. The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:
 - a. Submission to or rejection of such conduct or communication is made explicitly or implicitly a term or a condition of an individual's employment; or
 - b. Submission to or rejection of such conduct or communication by an individual is used as a factor in employment decisions affecting the individual; or
 - c. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment. This includes, but is not limited to:
 - i. Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of an employee;
 - ii. Sexual or discriminatory displays or publications; and
 - iii. Retaliation for sexual harassment complaints.

Each individual must exhibit, in his or her conduct and communications, sound judgment and respect for the feelings and sensibilities of each employee.

2. Reporting Sexual Harassment. It is the policy of Leelanau County that any employee who in good faith believes he or she has been subjected to sexual harassment prohibited by law, or who believes in good faith he or she has observed sexual harassment prohibited by law, must report that fact immediately in writing to:
 - a. His/her immediate supervisor; or
 - b. If the individual does not feel comfortable with his/her supervisor, the individual should feel free to bypass his/her supervisor and file a written complaint with the Leelanau County Administrator; or
 - c. If the individual does not feel comfortable with the Leelanau County Administrator, the individual should feel free to bypass the Leelanau County Administrator and file a written complaint with the Chairperson of the Board of Commissioners.

A report or complaint will be promptly investigated by the Board of Commissioners or its designee(s.) To the extent possible, the investigation will be conducted in a manner calculated to protect the privacy of the individuals involved, and the confidentiality of the complaint. The investigation may include additional interviews with the complainant, interviews with the accused, interviews of witnesses or possible witnesses, and a review of personnel files and documentary or other evidence. Statements made in the interviews will be reduced to writing and acknowledged by the interviewee, if not written by him/her. Upon conclusion of the investigation, a written determination will be made. Remedial action, up to and including immediate discharge, will be taken as appropriate.

If the complaint is not satisfactorily resolved, the matter may be presented to Corporate Counsel. All documentation and the written determination shall be presented to Corporate Counsel, who shall determine the appropriateness of the disciplinary action.

If a report of sexual harassment prohibited by law is made in good faith, Leelanau County will protect the reporting individual from retaliation or any other detrimental impact on his/her employment.