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SUBJECT: SEXUAL OR OTHER UNLAWFUL HARASSMENT

EFFECTIVE DATE: August 17, 1998

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It is the policy of Cass County that all employees, male and female alike, are entitled to a working environment that is free of sexual harassment or other unlawful harassment. It is also the policy of Cass County that applicants for employment are entitled to work opportunities that are free from sexual harassment. Sexual harassment is a violation of the law and will not be tolerated.

Department heads and supervisors shall work to establish and maintain a climate in the work unit which encourages employees to communicate questions or concerns regarding this policy, recognize incidents of sexual harassment and take immediate corrective action in accordance with facility guidelines. Every employee is responsible for personal conduct in a manner which is consistent with the spirit and intent of this policy. The Personnel Department is ultimately responsible for all department head and employee communication and education related to this policy.

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 a factor in decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The North Dakota Human Rights Act, N.D.C.C. 14-02.4-03 prohibits discrimination in employment based on "race, color, religion, sex, national origin, age, physical or mental disability, status with respect to marriage or public assistance, or participation in lawful activities off the employer's premises during non-working hours which is not in direct conflict with the essential business-related interests of the employer". Harassment focusing on any of the protected categories is unlawful and will not be tolerated by Cass County Government.

REPORTING/INVESTIGATION:

If any employee is concerned about possible sexual harassment, or other unlawful harassment, he/she will report their concern either to their department head or the Personnel Office. The Personnel Office and/or department head will coordinate an investigation of the complaints of sexual harassment in a timely and thorough manner and take appropriate action to end any existing sexual harassment. A written report is to be filed in the Personnel Office.

Employees also have the right to file a complaint of sexual harassment with the North Dakota Department of Labor or the Equal Employment Opportunity Commission.

Retaliatory action against any employee who files a harassment complaint or any retaliatory action against any employee who assists or cooperates in any investigation is prohibited by law. Employees are encouraged by law to report incidents of unlawful harassment and are encouraged to cooperate in the investigation. It is unlawful to attempt to coerce or intimidate anyone in an investigation.