

2.24.500 Harassment – Definitions.

Harassment can take many forms and can include slurs, comments, jokes, innuendoes, unwelcome compliments, pictures, cartoons, pranks or other verbal or physical conduct which is based upon a person's protected status (i.e., race, religion, creed, color, national origin, sex, marital status, age, or the presence of any physical, mental or sensory handicap).

A. Harassment. Harassment based upon a person's protected status, is prohibited by federal and state anti-discrimination laws and violates Okanogan County policy where it:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise unreasonably affects an individual employment opportunity.

B. Sexual Harassment. Sexual harassment is a type of harassment and occurs when the verbal and physical conduct described above is sexual in nature or is gender-based, that is, directed at a person because of their gender. Sexual harassment does not refer to casual conversation or compliments of a socially acceptable nature.

1. Sexual harassment violates federal and state law and is prohibited under Okanogan County's harassment policy. Sexual harassment exists in the workplace when:

- a. Submission to the conduct is either explicitly or implicitly a term or condition of employment.
- b. Submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual.
- c. The conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile, or offensive.

2. Sexual harassment includes but is not limited to:

- a. Unwelcome verbal behavior such as comments, suggestions, jokes, or derogatory remarks based on sex.
- b. Physical behavior such as pats, squeezes, repeatedly brushing against someone's body, or impeding or blocking normal work or movement.
- c. Posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's work station.
- d. Unwanted sexual advances, pressure for sexual favors and/or basing employment decisions (such as an employee's performance evaluation, work assignments, advancement) upon the employee's acquiescence to sexually harassing behavior in the workplace.

C. Workplace Misconduct. Workplace misconduct, which does not meet the definition of harassment as described above, is inappropriate or offensive conduct and is unwelcome, unsolicited and disrespectful of the individual. Workplace misconduct is prohibited by Okanogan County. Examples of workplace misconduct would be joking, teasing, spreading rumors, yelling, cursing, threatening, or conduct which has not become pervasive or egregious enough to meet the legal definition of harassment or sexual harassment.

Harassment, particularly sexual harassment, can be difficult to define. Misconceptions abound. For this reason, the county strongly urges employees to use the harassment reporting policy to report all incidents of harassment, sexual harassment or other inappropriate behavior as soon as possible. This policy is intended to assist the county in addressing not only illegal harassment, but also any conduct that is otherwise offensive and inappropriate and to support the county's commitment to maintain a respectful and productive workplace for all employees. (Res. 77-99 § 6.5.2, 1999).