



Georgia Department of Education

Policies and Procedures

Policy Title:	Sexual and Other Harassment
Policy Number:	HR-1114
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Last Revised:	02/02/2004

Purpose

To ensure that every employee of the Georgia Department of Education works in an environment conducive to productivity and free of harassment. Sexual harassment and other forms of harassment will not be tolerated.

Applicability

This policy applies to all classified and unclassified employees of the Georgia Department of Education (DOE). This policy also applies to all contractors, vendors, and any DOE customers as defined in the DOE mission statement.

Definitions

Harassment: Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

Sexual Harassment: According to Section 703 of Title VII of the Civil Rights Act of 1964, and as amended in 1972, *sexual harassment* is defined as unwelcome advances, requests, or demands for sexual favors and other verbal or physical contact of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- b. Submission to or rejection of such contact by an individual is used as the basis for employment decisions affecting the individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Policy

Harassment based on race, color, sex, national origin, disability, religion, or age by any employee, manager, supervisor, or other party is prohibited. This includes harassment by and of contractors, vendors and any DOE customers. Appropriate disciplinary action, up to and including dismissal, will be taken against any employee who violates this policy. All managers and supervisors, as a job requirement, are responsible for preventing and/or eliminating sexual harassment and other forms of harassment in their respective divisions and work units.

Procedure



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Reporting Sexual and/or Other Harassment

1. Any individual who believes he/she has been subjected to any form of harassment should report verbally or in writing the circumstances of the harassment to the DOE's Title IX coordinator in the DOE Office of Legal Services.
2. The Title IX coordinator shall notify the Director of Human Resources of the report.
3. All reports of harassment shall be promptly and thoroughly investigated and shall remain confidential except as otherwise noted in this policy.

General Provisions

Remarks or actions which may create an offensive or hostile work environment include, but are not limited to, sexual flirtations, physical or verbal advances, propositions, verbal abuse of a sexual or otherwise offensive nature, vulgar talk or jokes, degrading graphic or verbal comments about an individual or his/her appearance including comments of a sexual nature, the display of offensive or sexually suggestive objects, and physical contact of a sexual or particularly personal nature. Cartoons, pictures, or other graphic materials, which create a hostile or offensive work environment, are also considered harassment.

All reports of harassment will be taken seriously. Only those persons with a direct need to know will be informed of the complaint. When it becomes necessary to question the alleged violator or key witnesses about certain incidents, the name of the complainant will not be revealed whenever possible. Furthermore, anyone informed of the alleged offense shall observe applicable privacy and confidentiality requirements. Employees who violate confidentiality requirements are subject to disciplinary action.

Retaliation against employees for making complaints is prohibited. Retaliation against employees who give testimony or assistance, or participated in the investigation, proceeding, or hearing of a complaint is also prohibited.

Each DOE employee shall be given a copy of this policy and shall sign a statement acknowledging receipt and agreement to comply with the policy.

Performance Plans for DOE employees shall include a statement in the *Terms and Conditions of Employment* section requiring compliance with the DOE Sexual and Other Harassment policy.

Authority and/or Cross-Reference

- Civil Rights Act of 1964, Section 703 of Title VII, as amended in 1972



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