

A person may reimburse Monroe County government for any part of, or for all of, the expenses incurred by Monroe County government for appearances of a Monroe County officer, employee, or agent on behalf of the County. Reimbursement shall be remitted to the Monroe County Treasurer who shall quietus the funds into the General Fund.

**296-6 Donations**

Nothing in this Chapter prohibits donations to Monroe County government that are made in accordance with applicable law (e.g., IC 36-1-4-10).

**296-7 Nepotism**

Nepotism restrictions are set forth in MCC 266-17 and MCC 274-3.

**296-8 Policy Prohibiting Harassment**

It is the policy of the County to provide all elected officials, employees, volunteers, and those with whom we consult and work, an environment, which is safe, comfortable, and free of harassment. It is the County's policy to prohibit all forms of harassment on County time and County property, including harassment based on age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, veteran status, housing status, or any other legally-protected classification. All elected officials, employees, volunteers and those with whom we consult with and work are responsible for complying with the County's policy prohibiting harassment.

**A.** Harassment means any unwelcome or offensive conduct, whether written, verbal or physical, which is:

1. Directed at or to a person because of the person's age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, or veteran status, housing status, or other legally-protected classification; or,
2. Directed toward any person concerning an individual, or a class of individuals, because of the age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, veteran status, or housing status of the individual or class of individuals. For example, racial or ethnic slurs or derogatory epithets are prohibited in the workplace, regardless of whether a member of the racial or ethnic group is present when the statement is made.

Harassment does not refer to occasional compliments or other statements of a socially – acceptable nature. Harassment refers to behavior which is unwelcome and which is so offensive and/or persistent as to create, or have the potential of creating, an intimidating, hostile, or offensive working environment for any person.

**B.** Sexual harassment may include the following:

1. Offensive or unwelcome sexual flirtations, advances, or propositions, communicated verbally, by touch, or in writing, including texting and all forms of electronic communication;



2. Obscene or sexually suggestive comments about a person's body or appearance;
3. The use of "off color" language or "dirty jokes";
4. Printed or electronic display or transmission of sexually explicit photographs, drawings, greeting cards, articles, books, magazines, messages, cartoons, or any other image;
5. Electronic messaging, including but not limited to, emails, blogs, chat rooms, etc.
6. Conduct with sexual implication that has the purpose or the effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment;
7. Unwelcome or unnecessary touching of any part of another's body;
8. Sexually degrading words to describe a person or a group of people;
9. Slurs, threats, repeated commands or other offensive verbal or physical conduct relating to a person's sex or sexual orientation.

C. This policy applies to all full-time, part-time, and temporary employees and to elected officials, department heads, volunteers, and to those with whom we consult and work.

D. It is a violation of this policy to use an individual's submission to or rejection of harassing conduct as the basis for any employment decision affecting the individual. Retaliation towards a person who reports harassment is strictly prohibited.

E. Persons who believe they have been subjected to, witnessed, or been made aware of harassment shall promptly report the harassment to their elected or appointed department head, the Human Resources Department, or the Monroe County Legal Department and complete a Harassment Complaint Form. The best time to register a complaint is immediately after the act occurs. The completed Harassment Complaint Form shall be turned into the appropriate elected official, department head, the Human Resources Department, or the Monroe County Legal Department.

1. If the department is the subject of the harassment complaint, the person may submit the completed form to the elected official responsible for that department head, the Human Resources Department, and the Monroe County Legal Department.

2. If the elected official is the subject of the harassment complaint, the person may submit the completed Harassment Complaint Form to the Human Resources Department, the Monroe County Commissioners, the Board of Judges, or the Monroe County Legal Department. The Monroe County Legal Department and the Human Resources Department must be provided a copy of each completed Harassment Complaint Form.

F. All persons who observe or otherwise learn of or have reason to suspect any conduct which may violate this policy shall promptly report

such facts to their elected official, department head, the Human Resources Department or the Monroe County Legal Department, and shall cooperate fully in any investigation or disciplinary action undertaken pursuant to this policy. Failure to comply with this section shall be grounds for appropriate disciplinary action, up to and including termination or replacement, as allowed by law.

**G.** The elected official, department head, or the Human Resources Department, with assistance from the Monroe County Legal Department, shall conduct a prompt and careful investigation. The investigation may include interviews with all persons having direct knowledge of the unwelcome behavior, including the person who made the complaint, the person accused of sexual or other harassment, and other potential witnesses.

**H.** At the conclusion of the investigation, the elected official, department head, Human Resources Department, or other investigator will review the findings with the person(s) who made the complaint. If the investigation reveals that the complaint is factual, appropriate corrective action will be taken to prevent the harassment from occurring again, up to and including discharge of any person believed to be guilty of harassment, as allowed by law. In any case, particularly in situations where the facts uncovered during the investigation are inconclusive or unclear, the County will ensure that all parties are reacquainted with the policy prohibiting sexual or other harassment at work.

**I.** Monroe County will take reasonable steps to keep the complaint confidential and, to the extent possible, maintain the privacy of the persons involved. Monroe County, however, cannot guarantee confidentiality.

**J.** Monroe County take this harassment policy very seriously and will make all reasonable efforts to educate its elected officials, employees, volunteers and those with whom we consult and work about this policy. Every new elected official, employee, volunteer, and those with whom we work will be provided a copy of the policy when hired or retained. If the policy is amended, copies of the amendments will be provided. All employees are expected to annually review the Personnel Policy Handbook.

**K.** Monroe County also recognizes that careful consideration must be given to questions regarding whether a particular action or incident is purely personal or social without any discriminatory effect. False accusations of harassment can have devastating effects on the lives and reputations of innocent people; therefore, the County may discipline, up to and including termination of employment, those employees who are proved to have intentionally, maliciously, and wrongly accused others of harassment. Appropriate legal action may be taken against elected officials, volunteers, and those with whom we consult and work who are proved to have intentionally, maliciously, and wrongly accused others of sexual harassment.

**L.** Prevention is the best policy for the elimination of harassment. Elected officials, employees, volunteers, and those with whom we

consult shall be aware of this harassment policy at all times and seek to avoid creating conditions that encourage such activity.

**M.** Sexual and other forms of harassment by any person may result in personal legal and financial responsibility for the offender.

**296-9 Penalties for Violations**

Officers, employees, and agents who violate this Subsection, may be subject to discipline in accordance with the Monroe County Personnel Policy. Contractors and their agents may be subject to suspension or debarment from future contracting opportunities.

**[end of chapter]**