



BOARD OF DIRECTORS
CAMBRIA COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 24-96

DATED: JUNE 24, 1996

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CAMBRIA COMMUNITY SERVICES DISTRICT
ESTABLISHING A DISTRICT PERSONNEL POLICY
REGARDING SEXUAL HARASSMENT

WHEREAS, California and Federal Laws require that employees have the right to work in an environment that is free of all forms of discrimination, including sexual harassment; and

WHEREAS, sexual harassment is a form of discrimination that is prohibited by Title VII of the Civil Rights Act of 1964 and California Government Section 12940; and

WHEREAS, the Board of Directors wishes to provide employees with information regarding their rights and the legal remedies available to them in the event of unlawful harassment; and

WHEREAS, the policy and procedures contained in this Resolution establishes policies and procedures that provides for reporting incidents of this nature.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Cambria Community Services District establishes the following:

1. The Sexual Harassment Policy provided as Exhibit "A" attached hereto and made a part hereof of is the official policy of the District.
2. Each employee of the District shall be provided a copy of the Policy and required to sign an acknowledgement receipt of said policy.

On the motion of Director Angel, seconded by Director May, and the following roll call vote, to wit:

AYES: Directors Angel, Child, May and Perkins

NOES:

ABSENT: Director Chaldecott

Resolution No.24-96 was adopted at a Regular Meeting of the Cambria Community Services District on June 24, 1996.


Reginald Perkins
President, Board of Directors

ATTEST:



Paulette Beck
Secretary, Board of Directors

CAMBRIA COMMUNITY SERVICES DISTRICT SEXUAL HARASSMENT POLICY

Purpose. It is legally mandated by State and Federal laws that employees have a right to work in an environment that is free from all forms of discrimination, including sexual harassment. Sexual harassment is a form of discrimination that is prohibited by Title VII of the Civil Rights Act of 1964 and California Government Code Section 12940. Sexual harassment is a costly form of discrimination that can result in expensive litigation that may result in back pay or punitive damage awards, withdrawal of Federal support funds and/or other adverse actions. District employees have a grave responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure proper performance of the District's business and the maintenance of confidence of the people it serves. It is, therefore, the policy of the Cambria Community Services District that sexual harassment is unacceptable and will not be tolerated.

Definition. Sexual harassment is generally defined as unsolicited and unwelcomed sexual advances of a severe and/or pervasive nature, be they written, verbal, physical and/or visual, that usually occur when:

1. Submission to that conduct or communication is made either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of that conduct or communication by an employee is used as a basis for employment decisions affecting the employee; or,
3. Such conduct or communication has the potential to affect an employee's work performance negatively and/or create an intimidating, hostile or otherwise offensive work environment.
4. Such conduct, whether blatant or subtle, that discriminates against a person solely because of that person's sex.

Definition Examples. Sexual harassment manifests itself in many forms. The following are a few examples of sexual harassment:

1. **Written:** sexually suggestive or obscene letters, notes or invitations.
2. **Verbal:** sexually derogatory comments, slurs, jokes, remarks or epithets.
3. **Visual:** leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons or posters.
4. **Physical:** assault, attempted rape, impeding or blocking movement, or touching.

5. Other:

- a. Sexual advances which are unwanted (this may include situations which began as reciprocal attractions, but later ceased to be reciprocal).
- b. Women in nontraditional work environments who are subjected to hazing (this may include being dared or asked to perform unsafe work practices, having tools and equipment stolen, etc.) if requests for sexual favors are not met.
- c. Employment benefits affected in exchange for sexual favors (may include situations where an individual is treated less favorably because others have acquiesced to sexual advances).
- d. Implying or actually withholding support for appointment, promotion, transfer or change of assignment; or initiating a rejection on probation or adverse action; or suggesting that a poor performance report will be prepared if requests for sexual favors are not met.
- e. Reprisals or threats after negative response to sexual advances.

Policy Publicizing. All employees shall be informed of the District's sexual harassment policy and complaint process prior to their need to know, and again when any complaint is filed. Also, said policy and complaint process shall be readily available to all employees and members of the general public utilizing the District's facilities and services.

1. All new employees shall be given a copy of the sexual harassment policy at the time of hiring and said policy's contents shall be discussed with said employee at that time by their Department Head or Supervisor.
2. An annual bulletin shall be prepared and distributed to all employees reinforcing them of the District's sexual harassment policy. Said bulletin shall also include summaries of cases involving sexual harassment, including examples of back pay, punitive damages and personal financial liability of supervisors.
3. Within three (3) working days after any complaint has been filed in accordance with this policy, a bulletin shall be prepared and distributed to all employees reinforcing them of the District's sexual harassment policy.

Complaint Process. Any employee who believes they are the victim of sexual harassment may file a formal or informal confidential complaint without fear of reprisal or embarrassment.

1. An informal complaint is made verbally by the employee to his/her immediate supervisor. Although filing the complaint with said immediate supervisor is preferred, the employee is free to file his/her complaint with any supervisorial employee.

2. A formal complaint is made in writing, using the "Employee Grievance Form," attached hereto as "Appendix A", and made a part hereof. Said form should be submitted by the employee to his/her immediate supervisor. Although submitting the formal complaint with said immediate supervisor is preferred, the employee is free to submit his/her formal complaint with any supervisory employee, or with the President of the Board of Directors if the employee's immediate supervisor is the General Manager and the General Manager is unavailable or personally involved in said complaint.

Complaint Response Process. Any supervisory employee who receives a formal or informal sexual harassment complaint shall at all times maintain the confidentiality of the plaintiff and shall personally deliver said complaint immediately and directly to the General Manager.

1. Within twenty-four (24) hours of the filing of a formal or informal complaint, even if it is withdrawn, an investigation shall be conducted by the General Manager.
2. A written record of any investigation of an alleged sexual harassment shall be maintained. Findings shall be kept by the General Manager.
3. All discussions resulting from said investigation shall be kept confidential.
4. The person initiating the complaint has the right to be accompanied by an advocate(s) when discussing alleged incidents. Said person shall be advised of this right prior to the commencement of such discussions.

Disciplinary Procedures and Sanctions. Upon conclusion of the investigation of an alleged sexual harassment, appropriate action shall be taken by the General Manager against the harasser where sexual harassment is found. Whatever punishment is meted out to the harasser shall be made known to the victim of the harassment.

1. Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment. Making the employee whole may involve reinstatement, back pay, promotion, etc.
2. Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims.
3. Employees complaining of sexual harassment shall be protected thereafter from any form of reprisal and/or retaliation.

Appendix "A"

EMPLOYEE GRIEVANCE FORM
[Cambria Community Services District]

Employee's Name: _____ Date: _____

Statement of grievance, including specific reference to any law, policy, rule, regulation and/or instruction deemed to be violated, misapplied or misinterpreted:

Circumstances involved:

Decision rendered by the informal conference:

Specific remedy sought: