

GOVERNING BOARD POLICY
Antelope Valley Air Quality Management District

Policy No: 02-05
Effective Date: January 15, 2002

Adopted: January 15, 2002
Amended:

Last Review: February 17, 2015

SUBJECT: POLICY PROHIBITING HARASSMENT

POLICY:

The Antelope Valley Air Quality Management District (District) strictly prohibits unlawful harassment. This includes harassment on the basis of sex, sexual orientation, race, color, ancestry, religious creed, handicap or disability, medical condition, age (over forty), marital status, or any other protected class under applicable law.

Since Federal and State law prohibit harassment, such harassment may also constitute a criminal offense.

AMPLIFICATION OF POLICY:

A. Application

1. This policy applies to all Governing Board members, Hearing Board members, officers and employees of the District, including but not limited to full and part time employees, temporary employees and persons working under contract for the District.
2. This policy applies to all phases of an employment relationship, including recruitment, testing, hiring, upgrading, promotion/demotion, transfer, layoff, termination, rate of pay, benefits, and selection for training.

B. Definition

1. Harassment may consist of offensive verbal, physical or visual conduct when such conduct is based on or related to an individual's sex and/or membership in one of the protected classifications covered under this policy; and
 - a. Submission to the offensive conduct is an explicit or implicit term or condition of employment;
 - b. Submission to or rejection of the offensive conduct forms the basis for an employment decision affecting the employee;

- c. The offensive conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creates an intimidating, hostile or offensive working environment.
2. Examples of what may constitute prohibited harassment include, but are not limited to, the following:
 - a. Kidding or joking about sex or membership in one of the protected classifications covered under this policy;
 - b. Hugs, pats or similar physical contact;
 - c. Assault, impeding or blocking movement, or any physical interference with normal work or movement;
 - d. Cartoons, posters, and other materials referring to sex or membership in one of the protected classifications covered under this policy;
 - e. Threats intended to induce sexual favors;
 - f. Continued suggestions or invitations to social events outside the work place after being told such suggestions are unwelcome;
 - g. Degrading words or offensive terms of a sexual nature or based on the individual's membership in one of the protected classifications covered under this policy
 - h. Prolonged staring or leering at a person;
 - i. Similar conduct directed at an individual on the basis of sexual orientation, race, color, ancestry, religious creed, handicap or disability, medical condition, age (over forty), marital status, or any other protected class under applicable law.

C. Procedures for Implementing this Policy

1. The District will not tolerate unlawful harassment of its employees. Therefore, the Air Pollution Control Officer shall develop a Standard Practice for implementing this policy which contains, at a minimum, the following elements:
 - a. Reporting procedures, both internal to the District and external to the California Department of Fair Employment and Housing.
 - b. Procedures for investigation and documentation reports of harassment.
 - c. Confidentiality of information relating to the investigation of alleged harassment and any resulting corrective action.
 - d. Description of corrective action to be taken against the person engaging in the harassing behavior.
 - e. Obligations of employees to report and co-operate in investigations, either internal to the District or external, of harassment.

D. Prohibition Against Retaliation

1. Retaliation against anyone for opposing conduct prohibited by this policy or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by the District, Department of Fair Employment and Housing or Fair Employment and Housing Commission is strictly prohibited and may subject the offending person to, amount other things, disciplinary action, up to and including termination of employment.

Signed:

_____/s/_____, Chairman
Antelope Valley Air Quality Management District

Approved as to Legal Form

_____/s/_____,
Fazle Rab Quadri
District Counsel