



Office Of The Sheriff
Allegany County
Maryland

GENERAL ORDER NO: **1-800.00**

TO: All Patrol and Judicial Personnel

RE: **SEXUAL HARASSMENT**

PURPOSE: To make the work place of the Allegany County Sheriff 's Office free from Sexual Harassment practices.

EFFECTIVE DATE: 2003

REVISION DATE: 3/1/2016

POLICY STATEMENT: In order to maintain the best possible working environment for the employees or potential employees of this Office, Sexual Harassment of any form will not be tolerated. It is the goal of this order to foster a work place free from intimidation, humiliation, insult, or subjection resulting from physical or verbal actions with sexual connotations. Accordingly, the following policy is adopted by the Allegany County Sheriff 's Office.

1-801.00 SEXUAL HARASSMENT

.01 Explanation of Sexual Harassment. Sexual Harassment is any **unwanted** action directed at an employee by another employee or supervisor, with the goal of obtaining sexual favors or gratification. Sexual Harassment can also be verbal action with sexual overtones or connotations which the listener finds offensive, not conducive to a good environment and which creates an intimidating, hostile or offensive working environment. Sexual Harassment may occur between parties of the same or opposite sex. The following are examples of, but not limited to, instances of Sexual Harassment.

A. Requests to an employee for sexual favors in return for favorable personnel decisions; i.e., job retention, promotion, transfer, etc.

- B. Threat or initiation of adverse personnel decisions if sexual intercourse or contact is not granted.
 - C. Unwanted physical advances or contact.
 - D. Unwanted requests for sexual intercourse or contact.
 - E. Repeated unwanted requests for dates.
 - F. Being subject to unwanted jokes or remarks with sexual overtones or connotations creating an intimidating, hostile, or offensive working environment.
- .02 Sexual Harassment is an offense that can lead to criminal and/or civil remedies. It is made so by the following state and federal laws:
- A. Maryland Civil Code, Article 49B, Section 20, Annotated Code of Maryland, prohibits discrimination in employment on the basis of sex with respect to compensation, terms, conditions, or privileges.
 - B. Criminal Code of Maryland, CR 3-308, prohibits coercive sexual demands or contact, including the intentional touching of any intimate part of the victim's body against the will and without the consent of the other person. This criminal charge can then be concurrently construed as Sexual Harassment in the work place resulting in monetary awards along with criminal charges.
 - C. Federal Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, prohibits discrimination on the basis of sex in all terms, conditions or privileges of employment.
 - D. While the above may not use the term Sexual Harassment, the Equal Employment Opportunities Commission (EEOC) has modified its guidelines to reaffirm that Sexual Harassment is an unlawful employment practice, thereby putting Sexual Harassment under the umbrella of the above.
- .03 Actions for dealing with Sexual Harassment
- A. First, the individual perpetrating the offensive action must be told that the action is **unwanted** and offensive and be advised to cease the activity.

- B. The activity will be reported to the Shift Supervisor, or higher authority should the Shift Supervisor be accused of involvement in the harassment. The complaint will be made, in writing, and will be as specific as possible.
 - C. An employee being the subject of harassment should keep a record of when, how, and by whom the acts were committed, and if the acts were witnessed or can otherwise be corroborated.
 - D. A victimized employee should keep a record of how and when supervisory personnel were notified of the harassment.
 - E. When a report of Sexual Harassment is received by supervisory personnel, an investigation will be initiated within 48 hours. Appropriate, immediate action will be taken to eliminate the harassment.
- .04 Complaints of Sexual Harassment will be lodged with no fear of reprisal and will be investigated in an objective and confidential manner with a decision reached, based on the evidence at hand. All complaints will be investigated on a case-by-case basis. In instances where a violation has been shown to occur, immediate action will be taken by the administration to remedy the situation and to prevent reoccurrence.
- .05 It is the employee's responsibility to help eliminate all forms of harassment and unwanted conduct from the work place. There is no room for it in a professional organization. It is each supervisor's responsibility to prevent such behavior from occurring, especially among the personnel that he/she supervises. Nothing in this policy will supersede existing Allegany County Policy on Sexual Harassment.

By Order Of:

Craig A. Robertson, Sheriff