

## Is it Time to Review Your Anti-Harassment Policy?

Local Governments know that having an anti-harassment policy is a legal necessity. Often, however, once a policy is adopted it is ignored and forgotten; that is until something occurs in the workplace that triggers the policy. Then, and in many instances only then, is it discovered that these anti-harassment policies are woefully outdated and may not even address the specific kind of harassment being alleged. Recently, the many high-profile allegations of sexual violence, abuse, and harassment have caused many employers to revisit their anti-harassment policies. For our local governments, the question is – “Do you have a current and comprehensive anti-harassment policy?” Before answering the question, you must know not only what your policy includes, but what a comprehensive policy should include.

A comprehensive anti-harassment policy must begin with an unequivocal statement that harassment based upon any protected characteristic will not be tolerated (“A zero tolerance policy”). Every anti-harassment policy must prohibit not only sexual harassment, but also harassment based upon: age, color, disability (mental and physical), gender, gender identification, genetic information, marital status, national origin, pregnancy, race, religion, and sexual orientation.

The policy should also include:

- A clear explanation of prohibited conduct.
- An assurance that employees who make complaints of harassment or provide information related to such complaints will be protected against retaliation.
- A clearly described complaint process that provides alternative ways for complaints to be made.
- Assurances that the local government will protect the confidentiality of harassment complaints to the fullest extent possible.
- A complaint process that provides for a prompt, thorough, and impartial investigative process.
- Assurance that the local government will take immediate and appropriate corrective action when it determines that unlawful harassment has occurred.
- An explanation of the full range of discipline that can be imposed if it is determined that the policy has been violated.

To ensure that your policy is communicated effectively, a local government must provide every employee and official, including full and part-time employees, volunteers, elected officials, and appointees, a copy of the policy at the time of hire, appointment, or assumption of office. It is in your best interest to obtain a written acknowledgment from each official, officer, or employee, that he or she has received, reviewed, and understands the policy. That acknowledgment should be placed in the employee's personnel file. Supervisors should be encouraged to periodically re-distribute and discuss the policy simply to remind employees of its existence and to reinforce the understanding that any violation of the policy may result in the loss of employment.

Adopting a comprehensive anti-harassment policy and distributing it to employees is an important first line of defense against workplace harassment, but it is not enough. To ensure that your anti-harassment policy is understood and followed, you need to conduct periodic anti-harassment training. If you cannot remember the last time you provided such training, then it has been too long. Training builds awareness and helps prevent harassment. It also demonstrates that you: take the issue seriously, are committed to providing employees with a harassment free work environment, and take active measures to prevent harassment in the workplace.

It is critical that all local governments adopt a comprehensive anti-harassment policy and educate employees, volunteers, and elected officials regarding workplace harassment. The critical point to emphasize is “zero tolerance.” LGIT can help you in these efforts in two important ways: Firstly, the HR Compliance Portal, which can be accessed through [www.lgit.org](http://www.lgit.org), has sample policies that you can use and consider when reviewing and updating your anti-harassment policy. Secondly, LGIT offers

comprehensive harassment training, both live and through the [Online Campus](#) located on our website. If you need assistance accessing the [HR Compliance Portal](#) or are interested in anti-harassment training, please contact [Michele Keplinger](#).