

	<p style="text-align: center;">Winchester City Sheriff's Office Manual of General Orders</p> <p style="text-align: center;">Personnel 204</p>	Effective Date: May 1, 2014 Accreditation Standards: PER .02.01 PER .02.02 PER .02.03
		Original Policy: May 1, 2014 Last Review Date: May 1, 2020 Next Review Date: May 1, 2023
Subject: Discrimination and Harassment		By Authority of: <hr/> Les R Taylor, Sheriff

I. PURPOSE

The purpose of this policy is to establish Sheriff's Office policy concerning allegations of sexual harassment and discrimination and identify the reporting procedure for appointees.

II. POLICY

The Sheriff's Office policy is to provide a professional, businesslike work environment free from all forms of appointee discrimination including incidents of sexual harassment. No appointee shall be subjected to unsolicited and unwelcome sexual overtures or conduct either verbal or physical. Sexual harassment will be treated as misconduct with appropriate disciplinary sanctions. Individuals in the field of law enforcement in a position of authority have the same responsibility in their public relations as in the work place. This authority shall not be abused. The same principal regarding sexual harassment applies in the line of duty as while in the work place. Winchester city Sheriff's Office appointees may also refer to the City of Winchester Appointee Manual for assistance with harassment and discrimination. Pursuant to the Civil Rights Act of 1964, no person shall be discriminated against in any fashion due to religion, race, sex, creed or national origin. All appointees will be afforded equal opportunities and will be free from discrimination in the Winchester city Sheriff's Office workplace.

III. DEFINITIONS

- A. Per Title VII of the Civil Rights Act of 1964, sexual harassment is defined as the deliberate or repeated behavior of a sexual nature by one appointee to another that is unwelcome, unasked for, or rebuked by the other appointee. The behavior can be verbal or physical. Sexual harassment may occur between co-workers or between superior appointee and a subordinate. Examples of sexual harassment could include, but are not limited to the following:
1. Sexual comments of a provocative or suggestive nature;
 2. Jokes or innuendoes intended for and directed to another appointee;
 3. Leaving sexually explicit books, magazines, or photographs where appointees will find them;
 4. Unwelcome demeaning comments, ridicule, offensive language, propositions or other similar actions;
 5. Unwanted, unwarranted, unsolicited off-duty telephone calls and contact;
 6. Signed or anonymous unwelcome notes or drawings placed on or in desks, or bulletins boards, in lockers;
 7. Deliberately singling out a person in front of co-workers and subjecting them to demeaning or derogatory remarks. This also applies in singling out members of the same sex.
 8. Creating an intimidating, hostile, or offensive working environment;
 9. Making unwelcome sexual conduct or advances or requests for sexual favors of any nature a condition of continued employment or promotion;
 10. Transferring, demoting, or dismissing appointees who refuse sexual advances.

B. Per the Civil Rights Act of 1964, no person shall be discriminated against in any fashion due to religion, race, sex, creed or national origin. Discrimination may occur between co-workers or between superior appointee and a subordinate. Examples of discrimination could include, but are not limited to the following:

1. Racial slurs, insults, or jokes;
2. Physical or mental abuse;
3. Religious slurs, insults, or jokes;
4. Homophobic slurs, insults, or jokes;

IV. PROCEDURES

- A. An appointee who believes he or she has been sexually harassed or discriminated against shall contact the immediate supervisor or a higher authority if the immediate supervisor is the perpetrator. The appointee shall submit a memorandum to the Sheriff, through the chain of command, detailing the circumstances.
- B. Appointees shall report all allegations of sexual harassment or discrimination immediately to the Sheriff through the chain of command. Such reports will initiate a confidential internal investigation.
- C. If the situation warrants, the Sheriff shall report such allegations to the City Manager without delay.
1. The Sheriff shall immediately take action to limit the concerned appointees from any further work contact.
 2. The Sheriff or his designee will conduct an immediate investigation into the allegation.
- D. If the allegation involves the Sheriff, the complainant shall present the allegation without delay to the Winchester city Administrator.
- E. Discipline

Any appointee found to have engaged in sexual harassment, discrimination, or other unlawful harassment; who is found to have knowingly condoned, encouraged, or perpetuated an act or acts of discrimination, sexual harassment, or other unlawful harassment, or who is found to have in some way participated in retaliation or reprisal, shall be subject to disciplinary action, including, but not limited to, reprimand, suspension, loss of salary increment, demotion, and dismissal.

F. Frivolous and Groundless Complaints

1. The Sheriff's Office commitment to eliminate discrimination, sexual harassment, and other forms of harassment from the workplace does not allow appointees to engage in unfounded, frivolous, or vindictive actions in violation of the intent of this policy.
2. Where the results of an investigation reveal that a written complaint of discrimination, sexual harassment, or other unlawful harassment is wholly frivolous or groundless, the appointee having made such complaint may be subject to disciplinary action as described in section E above.