



Respectful Workplace

Effective date: 3/4/2017

Policy #: 2050

1. Purpose:

The purpose of this policy is to establish a work environment that is free from discrimination or harassment based on gender, race, age, national origin, religion, disability, or any other protected discriminatory factor.

2. Scope:

All Department employees are expected to comply with—and will be held accountable to—the standards in this policy. This policy must be disseminated to all Department employees. Program managers and supervisors are expected to ensure all employees are aware of it.

3. Responsibility:

The human resources officer is the owner of this policy and is responsible for reviewing and updating the policy to reflect current laws, needs, and strategic initiatives. The Director must approve any amendment to this policy.

4. Standards and Procedures:

4.1. Definitions

Department: *The Idaho Department of Parks and Recreation.*

Director: *The Idaho Department of Parks and Recreation Director or designee.*

Employee: *A person employed by the Department, including volunteers.*

Program Manager: *The Idaho Department of Parks and Recreation employee that has approval authority for specific programs, including but not limited to the financial officer, reservations program manager, information technology resource manager, development bureau chief, human resource officer, registration program manager, recreation bureau chief, natural resource program manager, state and federal grants manager, park manager, region managers, operations administrator, management services administrator, communications manager, public information officer, and Director.*

Supervisor: *The Department employee responsible for overseeing and managing an employee. Also known as the immediate supervisor. In instances where the supervisor is not available, the term may also include any one within the upward chain of command.*

4.2. Receiving and Investigating Complaints

The human resource officer is the Department's official who is responsible for receiving and investigating complaints of harassment or discrimination. Any employee, supervisor, or manager who is made aware of an alleged incident of discrimination or harassment may bring the matter to the attention of the human resource officer. Employees also have the right to file complaints either using the Department's problem-solving process (see [Policy 3015: Problem-solving and Due Process](#)) or directly with the Idaho Human Rights Commission and/or the Equal Employment Opportunity Commission.

4.3. Prohibited Activities

The Department prohibits any form of discrimination or harassment of its employees by other employees and will take immediate and appropriate action to investigate the behavior that allegedly violates this policy.

Employees are expected to conduct themselves in a professional manner at all times. Any verbal or physical conduct that belittles or demeans an individual because of his or her race, color, religion, national origin, gender, age, disability or similar characteristics, or circumstances is prohibited.

4.4. Harassment Defined

Harassment. Harassment is verbal, written, or graphic material that denigrates or shows hostility or aversion toward an individual or group because of his or her race, color, religion, gender, national origin, age, or disability or that of his or her relatives, friends, or associates that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment,
2. Has the purpose or effect of unreasonably interfering with an individual's work performance, or
3. Otherwise adversely affects an individual's employment opportunities.

Examples of harassment include slurs, negative stereotyping, hostile acts, and written or graphic material posted or circulated in the workplace that denigrate individuals because of race, color, religion, gender, national origin, age or disability.

Sexual Harassment. Sexual harassment is any unwelcome sexual advance, request for sexual favors, unwelcome sexual epithets, innuendos, advances, references, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual;

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment may include unwanted physical contact, foul language of an offensive sexual nature, sexual propositions, sexual jokes or remarks, obscene gestures, and displays of pornographic or sexually explicit pictures, drawings, or caricatures. While sexual harassment usually involves members of the opposite sex, it can also include "same sex harassment," i.e. males harassing males or females harassing females.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale, and that therefore interferes with work effectiveness.

4.5. Filing, Investigation, and Resolution

Employees have the responsibility to bring any form of perceived discrimination or harassment to the attention of the Department immediately. All complaints will be handled in a timely and as confidential manner as possible.

Any employee who has a complaint of sexual or other discriminatory harassment should report the alleged act immediately to their supervisor, the Department's human resource officer, or other member of the human resource work unit.

Although employees are free to address inappropriate conduct directly with the offending person, they do not have to complain first to the offending person.

A thorough investigation will be conducted based on the employee's statement of events. Individuals involved in the complaint will be advised not to discuss the subject outside of the investigation. The Department will retain confidential documentation of all allegations and investigations and will take appropriate corrective action to remedy all violations of this policy. The purpose of this provision is to:

- Protect the confidentiality of the employee who files a complaint to the extent possible;
- Encourage the reporting of any incidents of sexual or other harassment, and
- Protect the reputation of any employee wrongfully charged with harassment or discrimination.

If the Department determines that workplace harassment or discrimination has occurred on the basis of gender, race, color, religion, national origin, age or disability, corrective action will be taken. Depending upon the circumstances, this corrective action may include, but would not be limited to, verbal or written reprimand, suspension, demotion, or dismissal.

4.6. Retaliation

Retaliation against any complaining employee, any witness, or anyone involved in a complaint is strictly prohibited. The Department will follow up on any complaint or investigation as appropriate to ensure that no retaliation occurs. Employees should immediately report any retaliation under the complaint procedure as set forth in this policy. The Department will not tolerate retaliation and will take prompt and immediate steps to investigate and eliminate retaliatory action.

5. Revision History:

1. Supersedes administrative policy *II-50 Discrimination and Sexual Harassment*.
2. Revised by PS on 11/29/2016. Moved to new format.
3. Approved by Director on 2/15/2017.

6. References:

1. [Policy 3015: Problem-solving and Due Process](#)

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