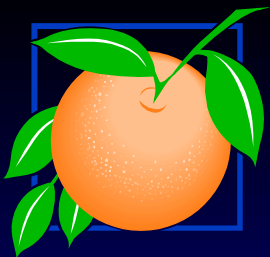


Orange County

**Sexual Harassment
Policy Overview**

August 7, 2018



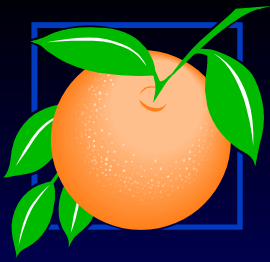
Presentation Outline

- **Sexual Harassment**
- **County Policies and Training**
- **Processing of Complaints**
- **Summary**



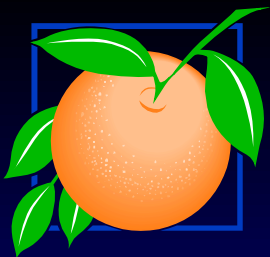
Presentation Outline

- **Sexual Harassment**
 - County Policies and Training
 - Summary



Sexual Harassment

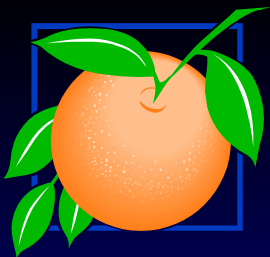
- **Title VII of the Civil Rights Act of 1964 establishes sexual harassment as an illegal form of sex discrimination**
- **Defines sexual harassment as follows:**



Sexual Harassment

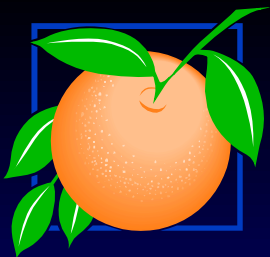
Defined:

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment."



Presentation Outline

- Sexual Harassment
- **County Policies and Training**
- Processing of Complaints
- Summary

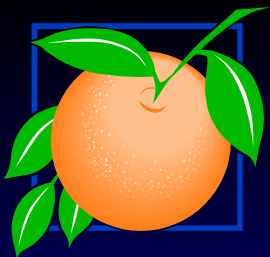


County Policies and Training

- **Administrative Regulation 2.14.05, Investigation of Charges of Sexual Harassment**
 - **Approved in August 1993**
 - **Revised in June 2006**
 - **Policy has been in place for the last 25 years**

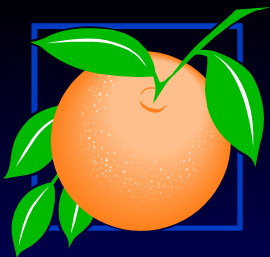
Policy Statement

“The County Mayor and the Board of County Commissioners affirms its commitment to ensuring an environment for all employees, applicants, clients and vendors which is fair and lawful . . .”



County Policies and Training

- **Administrative Regulation 2.14.05, Investigation of Charges of Sexual Harassment**
 - **Defines Sexual Harassment/Prohibited Behaviors**
 - **Quid Pro Quo**
 - **Hostile Work Environment**
 - **Establishes a process for reporting and investigating**
 - **County Policy, 402 Harassment and Discrimination (revised January 2012)**

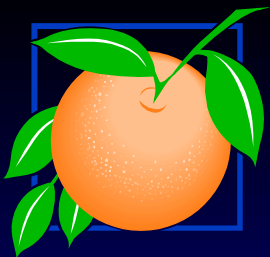


County Policies and Training

- **Administrative Regulation 2.14.05,
Investigation of Charges of Sexual Harassment**

Reporting Requirement

Anyone who believes that he/she has been subjected to or has witnessed alleged acts of sexual harassment by an employee of the BCC is required to report it immediately.



County Policies and Training

- **Administrative Regulation 2.14.05, Investigation of Charges of Sexual Harassment**
 - **Reporting Structure**
 - Chain of Command
 - HR Representative
 - Office of Professional Standards Director
 - Human Resources Director



County Policies and Training

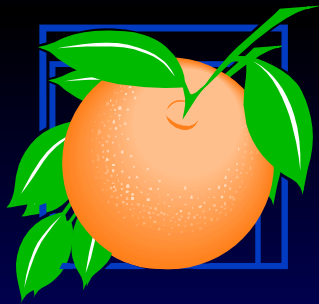
Sexual Harassment training is currently provided as follows:

- **New Employee Orientation**
- **Routinely provided to employees and supervisors/managers**
- **As Requested/Needed**



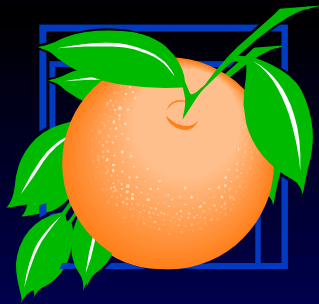
Presentation Outline

- Sexual Harassment
- County Policies and Training
- **Processing of Complaints**
- Summary



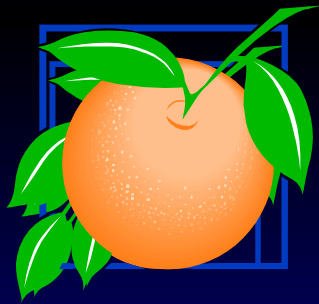
Processing of Complaints

- **Filing of Complaints:**
 - **Employee files complaint directly with OPS**
 - **OPS receives referral from Human Resources Employee Relations**
 - **OPS receives EEOC/FCHR Charging Notice**



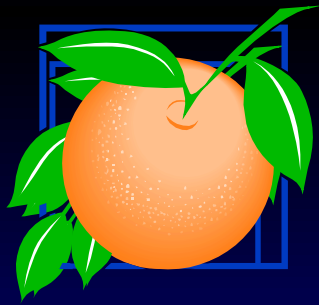
Processing of Complaints

- **Complaint Process:**
 - **OPS establishes new case**
 - **Complainant, witnesses and subject are interviewed**
 - **Based on evidence discovered, a sustained or non-sustained determination is made**



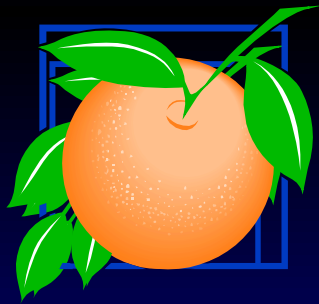
Processing of Complaints

- **Complaint Process:**
 - **Draft report is provided to department head and County Administration**
 - **If finding is “sustained”, there is a policy group meeting to determine parameters of possible discipline based on discipline matrix**



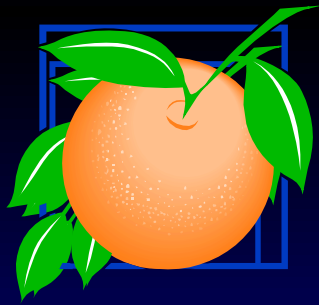
Processing of Complaints

- **Complaint Process:**
 - **Management completes a concurrence form indicating they agree or disagree with the findings**
 - **Report is finalized**
 - **Subject and complainant are provided with a copy of the final report**



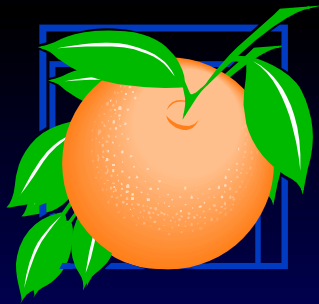
Processing of Complaints

- **Additional Steps:**
 - **Depending on nature of complaint, OPS may work with HR to have either subject or complainant reassigned during investigation**
 - **If complaint is received from EEOC/FCHR, a contracted defense attorney submits a position statement**



Processing of Complaints

- **Additional Steps:**
 - **In 2011, Article XIII, Ethical Standards for County Officers and Employees amended**
 - **Amendment creates Office of the Ombudsman, sets forth ethical expectations and is consistent with F.S. 112 (Whistleblower Act)**



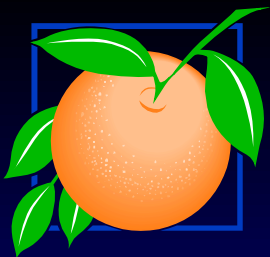
Processing of Complaints

- **OPS Sexual Harassment related Investigations: 12/2010 thru 7/2018:**
 - **33 Investigations Completed**
 - **16 Non-sustained Findings**
 - **17 Sustained Findings:**
 - **2 Sustained for Sexual Harassment**
 - **15 Sustained for Other Policy Violations**



Presentation Outline

- Sexual Harassment
- County Policies and Training
- Sexual Harassment Prevention
- Summary



Summary

- **County has a long standing sexual harassment policy which encourages employees, applicants, clients and vendors to report alleged violations**
- **Training is provided for employees and management**
- **Office of Professional Standards conducts and completes investigations**

Orange County

**Sexual Harassment
Policy Overview**

August 7, 2018