

Policy 105 – Equal Opportunity in Employment: Non-Discrimination and Non-Harassment Policy

It is the policy of Johnson County Government to provide equal opportunities in employment to applicants and employees without regard to their **Protected Status** and to provide a workplace that is free from unlawful discrimination and harassment and in which all persons are treated with respect and where their differences are valued.

The County prohibits discrimination and harassment by its employees and officials against any employee, official, applicant, or other individual based on Protected Status. Likewise, the County prohibits discrimination and harassment against its employees and officials by any individual including volunteers, contractors, consumers, vendors, or others based on Protected Status. Johnson County prohibits retaliation against applicants, employees, and other individuals for engaging in **Protected Activity**.

No employee or official may encourage any other employee, official, or individual to discriminate against, harass, or retaliate against any County employee, applicant, or other individual because of a Protected Status or Protected Activity. Every official and employee, regardless of position or authority, has a responsibility to keep the workplace free of discrimination, harassment, and retaliation.

Definitions

Protected Status means the race, color, national origin, ancestry, religion (or no religion), creed, sex or gender, sexual orientation, gender identity or expression, pregnancy, age, disability, genetic information, military service or veteran status, citizenship (except as required by law), political affiliation or belief (except as provided by law), or any other status or characteristic protected by law of an applicant, employee, or a person closely associated with the applicant or employee such as a spouse or child.

Protected Activity means objecting to conduct prohibited by this policy; good faith reporting of violations of this policy internally or to an outside agency responsible for enforcing anti-discrimination laws; and honest participation in internal or external investigations of reported violations. Reporting violations in good faith means the person has a sincere belief that a violation has occurred. Protected Activity also means requesting or receiving an accommodation for a disability, for pregnancy, childbirth, or a related health condition, or for religious beliefs and practices.

Retaliation means taking negative action against an employee because of Protected Activity. Retaliation may include, but is not limited to, separation from employment or other corrective action, reassignment, denial of training, and exhibiting hostility toward or avoiding an employee because of Protected Activity.

Harassment is conduct that disrupts or interferes with another's work performance and that has the purpose or effect of creating an intimidating, offensive, or hostile work environment, whether that conduct occurs on County time or premises and whether the conduct was intended to be offensive. Harassment includes, but is not limited to, any conduct that mocks, degrades, belittles, or intimidates an employee because of Protected Status or Protected Activity.

Examples of harassment include, but are not limited to the following:

- Physical conduct such as unwanted and unnecessary touching or blocking or impeding the movement of an employee.
- Written or spoken words such as offensive or degrading statements and jokes.
- Nonverbal conduct such as gestures, leering, sneering, or avoiding a person because of a Protected Status or Protected Activity.
- Visual conduct such as displaying images, videos, or other items.
- Off-duty conduct such as posts on social media and stalking.

In addition to the above, **sexual harassment** includes, among other things, unwelcome sexual or romantic advances, propositions, or flirtations; requests or pressure for sexual contact; continued requests for dates after being declined; use of sexually explicit, graphic, abusive, degrading, intimidating, or offensive language or jokes; displaying sexually suggestive or explicit items; and physical contact of a sexual nature.

Discrimination Prohibited in All Aspects of Employment

Johnson County values a diverse work force and prohibits discrimination based on Protected Status in recruiting and hiring, and in all phases of employment including, but not limited to, training, transfer, promotion, demotion, compensation, employee benefits, application of policies, working conditions, corrective action, and separation from employment.

Disability, Pregnancy, and Religious Accommodation

Johnson County will comply with all laws requiring accommodation of applicants and employees on the basis of disability, pregnancy, childbirth and related health conditions, and religion. "Religion" includes all aspects of religious observance and practice, as well as moral or ethical beliefs sincerely held with the strength of traditional religious views.

Procedures

The County Manager shall establish Human Resources Procedures to implement this policy which shall include procedures for requesting accommodation and responding to such requests, retention and confidentiality of medical information, alternative methods for reporting violations, investigating, and responding to reported violations, and educating employees on their rights and responsibilities. The Sheriff's Office is encouraged to utilize the County procedures but may establish its own procedures provided that those procedures contain each of these elements. The Sheriff's Office is also encouraged to utilize the County Human Resources Department in implementing any procedures it establishes.

Violations

Violations of this policy or the related Human Resources Procedures may result in corrective action up to and including separation from employment. Where reported conduct involves suspected criminal activity, it may be reported to law enforcement authorities.

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