



SEXUAL HARASSMENT		
new: ✓ rescinds: 14.7 ✓ amends: All previous		cross-reference: Tompkins County Sexual Harassment Policy
		accreditation standards: NYSLEAP Standard(s): 14.7
effective date: March 28, 2016	amend date: September 20, 2019	

I. PURPOSE

The purpose of this Order is to establish and describe the Sexual Harassment Policy of the Sheriff's Office and Tompkins County.

II. POLICY

- A. The Sheriff's Office and Tompkins County are committed to maintaining a working environment which is free of inappropriate and disrespectful conduct and communication of a sexual nature, especially when such conduct is imposed by one on another and which adversely affects an employee's working environment.
- B. "Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, visual depictions, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or when submission to or rejection of such conduct by a person is used as a basis for employment decisions affecting such person; or when such behavior has the purpose or effect of substantially interfering with a person's work performance or creates an intimidating, hostile, or offensive work environment.
- C. Sexual harassment is a prohibited practice when it results in discrimination for or against an employee on the basis of conduct not related to work performance, such as the taking or refusal to take a personnel action, including promotion or employees who submit to sexual advances or refusal to promote employees who resist or protest sexual overtures; or when such conduct had the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.
- D. In addition to this Order, Sheriff's Office employees are expected to be familiar with and comply with the [Tompkins County Sexual Harassment Prevention Policy](#).

III. **PROCEDURE**

A. Sexual Harassment Reporting

1. It is the policy of the Sheriff's Office to encourage employees who feel they have been subjected to sexual harassment, or who have knowledge of, or believe that sexual harassment has occurred, or is occurring within the Sheriff's Office, to report these concerns to their supervisor. Supervisors should be the first contact for all sexual harassment complaints.
2. Supervisors who become aware of sexual harassment or receive a complaint of sexual harassment shall take immediate action. In all cases supervisors shall document the information on the sexual harassment incident and forward it to their respective supervisor through the chain of command.
 - All documentation shall include but not be limited to; the complaint activity, time, place, persons involved, witnesses, and supervisor's response.
3. If the employee's supervisor or the Sheriff is committing the alleged sexual harassment then the employee should report the sexual harassment to that supervisor's supervisor, or report the incident to the Tompkins County Human Resources Department.
4. A supervisor may attempt to resolve a minor complaint, but before final resolution the complaint and recommended solution shall be sent to the Sheriff through the chain of command for approval. The matter will be officially resolved if all parties are satisfied with the proposed resolution and the Sheriff concurs with the resolution.

B. Internal Affairs

1. If the sexual harassment complaint cannot be resolved at the supervisor level, or the complaint is of a serious nature, or the Sheriff directs, the complaint shall be assigned to the Undersheriff for an internal affairs investigation.
2. At the completion of the investigation, the Undersheriff or their designee shall complete a report to the Sheriff outlining the finding of the allegation.

C. Sheriff

1. If the allegation of sexual harassment is substantiated the Sheriff shall take the appropriate disciplinary action against the employee.
2. The Sheriff will direct the employee's Division Head to conduct a review of the case to assure that any violations have ceased or circumstances which lead to the violations have been corrected.

3. The complainant and the subject of the investigation will be informed of the outcome by the Sheriff of their designee.

D. Retaliation

1. When a sexual harassment allegation is brought forward no member of the Sheriff's Office will retaliate against any individual who makes a report of such objectionable conduct, nor will the department permit any member of the Office to do so.
2. Supervisors and all employees shall immediately refer any threats, complaints of a criminal nature, or attempts at retaliation for reporting sexual harassment to the Sheriff through the chain of command.
3. Supervisors shall take immediate action (i.e. separate parties) if the situation warrants. The Supervisor will document the incident and their response, and forward it to the Sheriff through the chain of command before the end of their shift.

Attachments: [Tompkins County Sexual Harassment Policy](#)

By Order Of



Derek Osborne
Sheriff