ADMINISTRATIVE POLICY

SECTION 300	**POLICY** 301
TITLE Workplace Discrimination, Harassment, Sexual Assault, and Retaliation Prevention	**IMPLEMENTED BY PROCEDURE** 301-A
SPONSORING DEPARTMENT Human Resources	**R&O** 20-10
ADOPTED 01/07/20	**REVISED:** June 29, 2026

PURPOSE

The purpose of this policy is to (1) define and prohibit all forms of workplace discrimination, harassment, sexual assault, and retaliation; (2) establish procedures to create and maintain a work environment that is free of discrimination, harassment, sexual assault or retaliation by conducting timely and thorough investigations into complaints and taking appropriate action.

AUTHORITY

The authority to establish and enforce this policy is granted by the Washington County Board of Commissioners and the County Administrator. Oversight of this policy's implementation is delegated to Appointing Authorities and the Chief Human Resources Officer (CHRO) under the direction of the County Administrator.

This policy adheres to and implements all applicable federal and state statutes, rules, and regulations and is to be used in conjunction with Washington County Personnel Rules and Regulations and other Washington County Administrative Policies.

APPLICABILITY

This policy and the implementing procedures apply to all elected public officials, employees, volunteers, interns and contractors of the County (referred to collectively herein as 'Staff'). Conduct under this policy may apply in the workplace, in work-related settings outside the workplace, while wearing a uniform or insignia that identifies the individual as a County employee, and/or while off-duty if it impacts another employee's work performance.

Complaints against employees, volunteers, interns, and contractors of the County are handled under the Workplace Complaint Reporting Procedure and the Investigation Procedure. Complaints against elected officials of the County are handled under the Complaints/Investigations Involving Elected Officials Procedure.

DEFINITIONS

The following definitions are applicable to this policy only.

1. Appointing Authority – The Department Head (elected or appointed) or designee with the authority of appointment for any County position within their department.
2. Discrimination – Appointing, demoting, disciplining, or taking any other type of adverse employment action due to a person's actual or perceived protected class.
3. Workplace Harassment – Unwelcome offensive conduct for both protected and non-protected classes. Workplace harassment is unlawful when the unwelcome conduct is based on an individual's protected class status and 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Depending upon the circumstances, a single act of harassment may be considered a violation of this policy
4. Types of Workplace harassment may include:
   4.1. Verbal Harassment – Unwelcome speech that is reasonably considered epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments. Unwelcome verbal harassment may also include inappropriate comments on appearance, including dress or physical features, sexual rumors, code words, and derogatory stories.
   4.2. Physical Harassment – Physically impeding or blocking movement, leering, or the physical interference with another individual's normal work, privacy, or movement. Physical harassment also includes acts that are reasonably considered to be inappropriate touching, pinching, patting, grabbing, or any other inappropriate gestures.
   4.3. Visual Forms of Harassment – Includes, but is not limited to, any derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, images or pictures and includes both posted material and material maintained in or on County equipment or personal property visible in the workplace.
   4.4. Sexual Harassment – Any unwelcome act or communication which is reasonably considered sexual in nature and that is made an explicit or implicit term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.
5. Hostile Work Environment – Unwelcome behavior or comments that are severe or pervasive enough that a reasonable person would consider it intimidating, hostile or abusive and that interfere with an employee's work performance or work conditions. A single serious

incident or repeated smaller incidents can create a hostile work environment. Occasional personality conflicts or simple rudeness may not.

6. Offensive Conduct – Includes but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults, offensive objects or pictures, and intentional interference with work performance.
7. Retaliation – Any adverse employment action taken because a person has, in good faith (1) initiated or pursued a complaint under this or any other policy internally or with any outside agency; or (2) provided information or participated in an investigation of a complaint of discrimination, harassment or retaliation.
8. Adverse action – Any action to harm and taken because of an individual's involvement in a complaint or investigation under this policy. Individuals that are protected from retaliation include (1) those who make good faith reports that workplace harassment, discrimination, sexual assault or retaliation occurred; (2) those who are accused of workplace harassment, discrimination, sexual assault, or retaliation; (3) those who are associated with individuals who report workplace harassment, discrimination, sexual assault or retaliation; or (4) those who participate in the Complaint Reporting and Response Procedures associated with this policy.
9. Sexual Assault – Any unwanted touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire or either party.
10. Protected Class – A group of people protected by law from unlawful discrimination based on a shared characteristic or perception of that shared characteristic including race, religion, color, national origin, disability, marital status, pregnancy, sexual orientation, sex, gender or gender identity, source of income, age, genetic information, or use of protected leave, or as otherwise provided by law.
11. Bullying – A pattern of targeted, harmful mistreatment that often involves repeated incidents or a pattern of behavior and is intended to intimidate, offend, degrade or humiliate a particular person or group of people.
12. Civil Rights – The system of requirements developed to implement Title VII of the Civil Rights Act of 1964; where appropriate, this term also refers to the civil rights provisions of other Federal statutes to the extent that they prohibit discrimination on the grounds of race, color, sex, or national origin in programs receiving Federal financial assistance of the type subject to Title VII.
13. Parties – the complainant or subject of an investigation.

GENERAL POLICY

Washington County is committed to providing a work environment that is fair and respectful of each person's dignity and is free from all forms of discrimination, harassment, sexual assault or retaliation. Washington County prohibits harassing, retaliatory, or abusive conduct based on both protected class and non-protected class characteristics; prohibits discrimination based on protected class; and prohibits bullying as defined in Policy 503 (Workplace Violence) even when not connected to a protected class.

POLICY GUIDELINES

Complaints under this policy shall be made in accordance with the Workplace Complaint Reporting Procedure. Complaints may be made orally or in writing; oral complaints will be documented by the person receiving the complaint. The County reserves the right to act even when no complaint is made.

The following steps and timelines are required under this policy:

1. For complainants of workplace harassment and discrimination, the County must connect staff with legal resources and with counseling and support services, including Employee Assistance Program (EAP) services as required by State law.
2. The County will conduct prompt and thorough investigations of all complaints typically within sixty (60) calendar days (although some investigations may take longer) and will provide notice of the investigation's outcome to both parties within a reasonable period after completion, in accordance with the Workplace Investigation Procedure.
3. At any time, employees may file a complaint with the Oregon Bureau of Labor and Industry (BOLI) or the Equal Employment Opportunity Commission (EEOC) as provided by law.
4. For substantiated complaints (other than harassment, which is addressed below), the County will follow up within thirty (30) days and ninety (90) days after resolution.
5. For substantiated harassment complaints, the County will follow-up with the complainant every three months through the calendar year following the date the complaint was received (for example, if the complaint was received in November, quarterly follow-ups must occur for fourteen months through the following December) to determine whether the alleged harassment has stopped or if the complainant has experienced retaliation (ORS 243.321).
6. The County will not require a former, current, or prospective employee to enter into any agreement if the agreement prevents the employee from disclosing or discussing conduct constituting discrimination, harassment, or sexual assault. However, an employee alleging discrimination, harassment, or sexual assault may voluntarily request to enter into a settlement, separation, or severance agreement which contains a

nondisclosure, non-disparagement, or no-rehire provision and will have at least seven (7) days to revoke any such agreement.

Compliance with Oregon Law:

All County staff, including elected public officials, are advised of the following rights and requirements under Oregon law:

1. External Complaint Options: A victim of workplace harassment, discrimination, sexual assault, or retaliation has the right to seek redress through the County's internal process, through the Oregon Bureau of Labor and Industries (BOLI) complaint resolution process under ORS 659A.820 to ORS 659A.865, or under any other available law whether civil or criminal. Complaints may be filed with BOLI within one (1) year of occurrence.
2. Access to Support Services: Victims of workplace harassment, discrimination, sexual assault, or retaliation may access legal services through the Oregon State Bar Lawyer Referral Service and counseling or supportive services through Washington County's Employee Assistance Program (EAP). Contact Human Resources for more information.

RESPONSIBILITIES

The Human Resources Division is responsible for working collaboratively with Appointing Authorities to develop and have the County Administrator approve Administrative Procedures to implement this policy. In addition, the Human Resources Division will work with Appointing Authorities to monitor the workplace for compliance with this policy and to carry out responsibilities under the Workplace Complaint Reporting Procedure and Workplace Investigation Procedure.

Managers and supervisors are required (1) to report, when known, conduct that does not comply with this policy, and to help ensure that the workplace is free of discrimination, harassment, sexual assault, and retaliation; (2) to be knowledgeable of and enforce this policy; (3) to provide an annual reminder of the contents of this policy to their subordinate employees; (4) to provide for training for all employees; (5) to work collaboratively with Human Resources to determine the appropriate course of action when an allegation is reported; and (6) to ensure that any complaint that is brought to their attention is investigated and responded to in a timely, fair and impartial manner in accordance with the approved procedures associated with this policy.

All employees, including managers and supervisors, are responsible for (1) acknowledging reading, understanding and complying with the provisions of this policy; (2) treating employees and members of the public with dignity and respect; (3) making all reasonable efforts to prevent inappropriate behavior from occurring in the workplace; (4) providing all relevant information related to conduct prohibited by this policy and responding fully and truthfully to all questions

posed during any investigation; and Employees have the right to request reasonable accommodation (e.g., alternative formats, interpretation) with respect to these responsibilities as defined in Administrative Policy 305 (Americans with Disabilities Act Amendments Act).

Managers, supervisors and all other employees are prohibited from retaliating against any employee who experiences or witnesses, and reports, conduct that constitutes discrimination, harassment, sexual assault, or discrimination as defined in this policy. Individuals are strongly encouraged to make good faith reports of potential violations of this policy by using procedures described in the Workplace Complaint Reporting Procedure.

DISTRIBUTION

This policy shall be disseminated to all managers, supervisors and employees of Washington County upon finalization or amendment. Human Resources shall provide a copy of this policy to:

1. All new employees as part of their new employee orientation.
2. An employee at the time a formal complaint is made or as soon as practicable.

Any questions, concerns, or comments related to this policy should be directed to the Chief Human Resources Officer or their designee.

TRAINING

The County requires non-discrimination/harassment training for all new employees and annual training thereafter. Further corrective action may be required if training requirements are not met.

IMPLEMENTATION

Observance of and adherence to this policy is mandatory for all County employees. Violation of this policy may result in disciplinary action up to and including termination.

PERIODIC REVIEW

This policy shall be reviewed by the County Administrative Office at least every three years, or more often if needed, and updated as necessary.