

**East Lansing Police Department
Policy & Procedure**

Subject: Workplace Harassment	ELPD Policy #: 100-9
Effective Date: 3-1-2022 Revised Date: 7-26-24	Distribution: All Employees
MACP Accreditation Standard: Unlawful Workplace Harassment	MACP Standard: 1.5.5

I. PURPOSE

This directive demonstrates the East Lansing Police Department's commitment to maintaining a non-discriminatory work environment that fosters respect and dignity for each individual employee. This policy defines employee expectations and the procedure for reporting, investigating, and resolving reports of harassment and discrimination in the workplace.

II. POLICY

- A. It is a policy of the East Lansing Police Department to provide equal employment opportunity to all persons consistent with employment requirements and qualifications. The department shall comply with applicable laws regarding discrimination because of race, color, religion, creed, sex, national origin, age, weight, handicap, sexual orientation, gender identity, height, genetic information, veteran status or any other trait protected by law.
- B. All employees shall conduct themselves in a manner conducive to a work environment free of coercion, intimidation, harassment, retaliation, or discrimination. Every employee is responsible for assuring that the workplace is free from unlawful harassment and discrimination, including sexual harassment.
- C. All alleged incidents of workplace harassment, no matter the type, shall be investigated. The department will take all necessary measures, including disciplinary action, to correct for improper or unlawful behavior. The department will also take any preventative measures to mitigate against offensive, unwanted conduct from occurring in places and situations under its control.

III. DEFINITIONS

- A. Harassment
 - 1. Any physical, verbal, or visual conduct that creates a pervasive, intimidating, offensive, or hostile work environment.

B. Sexual Harassment

1. Unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to interfere with an employee's job performance or creates an intimidating, hostile, or offensive work environment. The Equal Employment Opportunity Guidelines define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
 - b. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
 - c. The conduct has the purpose of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
 - d. Title VII of the Civil Rights Act of 1964 defines two types of sexual harassment:
 - i. Quid pro quo
 - ii. Hostile work environment
6. Examples of sexual harassment may include:
 - a. Demanding sexual favors in exchange for favorable reviews, assignments, promotions, continued employment or promises of same.
 - b. Continued or repeated sexual jokes, language, epithets, flirtations, advances or propositions.
 - c. Verbal abuse of a sexual nature.
 - d. Graphic verbal commentary about an individual's body, sexual prowess or sexual deficiency.
 - e. Sexual degrading or vulgar words to describe an individual.

- f. Leering, whistling, touching, pinching, brushing the body, assault, coerced sexual acts or suggestive, insulting or obscene comments or gestures.
- g. The display in the work place of sexually suggestive objects, pictures, posters or cartoons.
- h. Name calling, relating stories, gossip, comments, or jokes that may be derogatory toward a particular sex.
- i. The display of sexually suggestive graffiti.
- j. Retaliation against employees for complaining about such behavior.
- k. Asking questions about sexual conduct or sexual orientation or preferences.
- l. Harassment consistently targeted at only one sex, even if the content of the verbal abuse is not sexual.

IV. FRATERNIZATION

- A. Consenting romantic or sexual relationships between employees of any rank or job classification is strictly prohibited.

V. PROCEDURE

- A. Reporting Harassment [1.5.5a,b]
 - 1. A report of harassment may be done in verbal or written format.
 - 2. While it is recommended that employees report harassment to a supervisor in the next level of their chain of command it is understood that this may present a conflict of interest depending on the circumstances of the incident. In such situations employees may alternately report harassment to any department supervisor, the City of East Lansing Human Resources Department, or City Manager's Office.
 - 3. The reporting employee should report the harassment to a supervisor who is at least one rank higher than the person being reported. [1.5.5b]

4. If the Chief of Police is being reported for harassment the reporting employee should notify the City of East Lansing Human Resources Department or City Manager's Office. [1.5.5c]
5. An employee who believes they witnessed sexual or other harassment shall report the behavior immediately in accordance with the above reporting protocols. [1.5.5d]
6. A supervisor that receives a report of harassment shall immediately notify their next level command officer or the Chief of Police. If next level police personnel are not available, the City of East Lansing Human Resources Department shall be notified immediately.
7. Supervisory personnel receiving a complaint of harassment shall take immediate action, if possible, to eliminate and restrict any work assignments or contact between the reporting party and the alleged perpetrator of the harassment. It is strongly recommended that the Chief of Police and City of East Lansing Human Resources Department be consulted on this matter.
8. East Lansing Police Department and City of East Lansing personnel shall not retaliate against an employee, potential employee or former employee who makes a report of harassment.

B. Investigation

1. Any allegation of harassment shall result in a mandatory and confidential investigation of the incident. The investigation will be conducted in a consistent with Michigan Law. [1.5.5e]
2. The investigation will be assigned to an investigator by the Chief of Police or their designee. As with all investigations, the progress of the investigation will be monitored by the Chief of Police to ensure a timely, accurate, and impartial investigation.
3. The investigation will be conducted in accordance with the protocols set forth in ELPD policy.
4. When an investigation finds that the employee(s) is in violation of this policy they will be subject to discipline up to and including discharge/termination.

VI. CANCELLATIONS

N/A

Authorized By:

CP #144

Chad Pride, Interim Chief of Police

8/5/2024

Date