

December 21, 1992
SS/pb 92-887.mot

PULLEN, GRUGER, BARDEN
DERDOWSKI, PHILLIPS
SULLIVAN, NICKELS

Introduced by: LAING, SIMS

Proposed No.: 92-887

MOTION NO. 8868

A MOTION adopting a policy that sexual harassment will not be tolerated in King County and prescribing legislative branch procedures for investigating and resolving allegations of sexual harassment.

WHEREAS, King County intends to maintain a working environment for all county employees that is free of sexual harassment and other forms of unlawful discrimination, and

WHEREAS, sexual harassment in the workplace is harmful to the dignity of any organization and its individual members, and

WHEREAS, the county council desires to adopt legislative branch procedures for investigating and resolving allegations of sexual harassment;

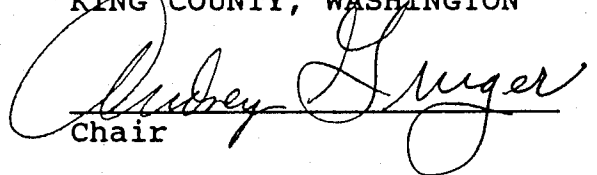
NOW, THEREFORE BE IT MOVED by the Council of King County:

1. Sexual harassment will not be tolerated in King County government, nor will retaliation against any employee who alleges sexual harassment or participates in an investigation of an allegation of sexual harassment.

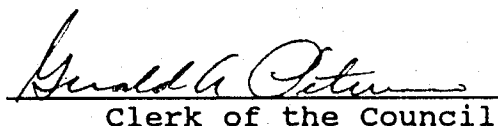
2. The attached policies and procedures for investigating and resolving allegations of sexual harassment in the legislative branch are hereby adopted.

PASSED this 21st day of December, 1992.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair

ATTEST:


Clerk of the Council

Attachment:

King County Legislative Branch -- Sexual Harassment Policies and Procedures

KING COUNTY COUNCIL
LEGISLATIVE BRANCH

POLICIES AND PROCEDURES AGAINST SEXUAL HARASSMENT

"Sexual Harassment" is a form of unlawful sex discrimination. It includes unwelcome sexual advances, requests for sexual favors, displays of sexually oriented materials, and other verbal and physical conduct of a sexual nature when: 1) submission to such conduct, either explicitly or implicitly, is made a term or condition of an individual's employment; or 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating or hostile environment.

POLICIES

It is the policy of the King County Council that employees not be discriminated against on the basis of sex. In keeping with that policy, the council will not tolerate sexual harassment by any member or employee of the council. Sexual harassment is serious misconduct in violation of this policy.

All alleged violations of this policy will be addressed through the procedures set forth below.

PROCEDURES

1. Any employee of King County who believes he or she has been the victim of sexual harassment as a result of action by a member of the King County Council should seek relief according to the following procedures:

Confront the alleged harasser to stop the behavior; and/or

Report the incident orally and/or in writing to the Council Chair, or to the Vice-Chair if the alleged harasser is the Council Chair.

Any member of the County Council who is aware of possible sexual harassment shall promptly inform the Council Chair, or to the Vice-Chair if the alleged harasser is the Council Chair.

The Council Chair or Vice-Chair shall, upon notification of a sexual harassment allegation, appoint a bi-partisan committee of councilmembers. The committee shall promptly select an independent investigator with expertise in sexual harassment law and issues to investigate the allegation. The outside party shall perform a reasonable investigation, which shall include a response from the alleged harasser, and shall provide a report to the committee. The report shall make findings regarding whether the alleged sexual harassment occurred or there were insufficient facts to make findings regarding whether the alleged sexual harassment occurred.

The committee shall consider the findings and shall take appropriate corrective action, which may include, but not be limited to, an oral and/or written warning, an oral and/or written reprimand, exoneration or formal censure in the form of a council motion.

2. Any employee of King County government who believes he or she has been the victim of sexual harassment as a result of the action of any employee of the legislative branch, other than County Councilmembers, should seek relief according to the following procedures:

- 1 Confront the alleged harasser to stop the behavior; and/or
 2 Report the incident orally and/or in writing to his or her
 3 immediate supervisor or any other person in a supervisory
 4 position; and/or
 5 Report the incident orally and/or in writing to the
 6 Council Chair.

7 Any supervisor who is aware of possible sexual harassment by an
 8 employee of the legislative branch other than councilmembers,
 9 regardless of whether a report or allegation has been received,
 10 shall promptly perform a reasonable investigation, which shall
 11 include a response from the alleged harasser. The supervisor
 12 shall take appropriate corrective action and, if necessary,
 13 recommend corrective action to the Council Chair. The
 14 corrective action may include, but not be limited to, training,
 15 transfer, sanction, reprimand or termination.

16 In the case of personal staff of county councilmembers, a
 17 councilmember who is the appointing authority has the same
 18 responsibility as any other supervisor.

19 Any member of the County Council who is aware of possible
 20 sexual harassment shall promptly notify the Council Chair.

21 The Council Chair or Vice-Chair, in the event the alleged
 22 harasser is a member of the Chair's personal staff shall, upon
 23 notification of a sexual harassment allegation, promptly
 24 perform a reasonable investigation, which shall include a
 25 response from the alleged harasser, and shall take prompt
 26 corrective action, or, if the appointing authority is another
 27 councilmember, shall recommend corrective action to that
 28 councilmember. Corrective action may include, but not be
 29 limited to, training, transfer, reprimand or termination.

30 3. The procedures set forth herein shall not limit the right
 31 of any county employee who believes he or she has been the
 32 victim of sexual harassment as a result of action by a member
 33 or employee of the legislative branch to: (1) file a complaint
 34 with a human/civil rights agency; (2) consult with and be
 35 represented by an attorney and/or to file a civil law suit; or
 36 (3) seek any other remedy provided by law.

37 RESPONSIBILITIES

38 1. It shall be the responsibility of all supervisors to inform
 39 employees that sexual harassment will not be tolerated and is a
 40 major offense which may result in disciplinary action up to and
 41 including termination and that there are procedures that should
 42 be followed immediately if employees feel they have been
 43 sexually harassed.

44 2. It shall be the responsibility of all supervisors, upon
 45 learning of any violation of these policies, to take immediate
 46 and appropriate action consistent with the procedures set forth
 47 herein and to give full cooperation during any investigation.

48 3. It shall be the responsibility of the Council Chair, Vice-
 49 Chair and/or supervisors to keep all parties involved in a
 50 sexual harassment allegation informed of the procedures being
 51 followed and to monitor for retaliation against any person or
 52 persons involved in making a sexual harassment allegation
 53 and/or participating in the investigation of a sexual
 54 harassment allegation.

55 4. It shall be the responsibility of the Council Administrator
 56 to ensure that all employees of the legislative branch receive
 57 a copy of these policies and procedures.