

## **RECREATION DISTRICT #14 SEXUAL HARASSMENT CONDUCT AND BEHAVIOR**

### **GENERAL CONDUCT GUIDELINES**

Coquille's goal is to develop a team of employees who take great pride in developing and maintaining the park, facilities and programs by offering exceptional customer service, integrity, efficiency and loyalty.

Orderly and efficient operation of Coquille requires that employees maintain proper standards of conduct and observe certain procedures. These guidelines are provided for informational purposes only and are not intended to be all-inclusive.

Nothing herein is intended or shall be construed to change or replace, in any manner, the "at-will" employment relationship between Coquille and the employee. Nothing herein is intended to infringe upon employee rights under Section Seven (7) of the National Labor Relations Act (NLRA). Coquille views the following as inappropriate behavior:

1. Negligence, carelessness or inconsiderate treatment of District #14 visitors, staff and/ or their matters/ files.
2. Theft, misappropriation or unauthorized possession or use of property, documents, records or funds belonging to Coquille, or any client or employee; removal of same from District #14 premises without authorization.
3. Divulging confidential information, of any kind, to any unauthorized person(s) or without an official need to know.
4. Obtaining unauthorized confidential information pertaining to clients or employees.
5. Changing or falsifying client records, District #14 records, personnel or pay records, including time sheets without authorization.
6. Willfully or carelessly damaging, defacing or mishandling property of a client, Coquille or other employees.
7. Taking or giving bribes of any nature, or anything of value, as an inducement to obtain special treatment, to provide confidential information or to obtain a position. Acceptance of any gratuities or gifts must be reported to a supervisor or manager.
8. Entering District #14 premises without authorization.
9. Willfully or carelessly violating security, safety, or fire prevention equipment or regulations.
10. Unauthorized use of a personal vehicle for District #14 business.
11. Illegal conduct, creating a disturbance on District #14 premises or creating discord with clients.
12. Use of abusive language.
13. Any rude, discourteous or un-businesslike behavior, on or off District #14 premises, which is not protected by Section 7 of the National Labor Relations Act (NLRA) and which adversely affects Coquille services, operations, property, reputation or goodwill in the community or interferes with work.
14. Insubordination or refusing to follow instructions from a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements.

15. Failure to observe scheduled work hours, failure to contact a supervisor or manager in the event of illness or any absence within thirty (30) minutes of the scheduled start of work; failure to report to work when scheduled; unauthorized or excessive use of sick leave or any other leave of absence.
16. Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
17. Sleeping or loitering during regular working hours.
18. Recording time for another employee or having time recorded to or by another employee.
19. Use or possession of intoxicating beverages or illegal use or possession of narcotics, marijuana or drugs (under state, federal or local laws), on District #14 premises during working hours or reporting to work under the influence of intoxicants or drugs so as to interfere with job performance or having any detectable amounts of drugs in an employee's system.
20. Unauthorized possession of a weapon on District #14 premises.
21. Illegal gambling on District #14 premises.
22. Soliciting, collecting money, vending, and posting or distributing bills or pamphlets on District #14 property. These activities are closely controlled in order to prevent disruption of District #14 services and to avoid unauthorized implication of District #14 sponsorship or approval. However, this general rule is not intended to hinder or in any way curtail the rights of free speech or free expression of ideas. Therefore, such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the orderly and regular conduct of Coquille business, is lawful, in good taste, conducted in an orderly manner, and does not create safety hazards or violate general good housekeeping practices. Any person who is not an employee of Coquille is prohibited from any and all forms of solicitation, collecting money, vending, and posting or distributing bills or pamphlets on District #14 property at all times.
23. Falsification of one's employment application, medical or employment history.

#### **SEXUAL AND OTHER UNLAWFUL HARASSMENT**

Sexual harassment and unlawful harassment are prohibited behavior and against District #14 policy. Coquille is committed to providing a work environment free of inappropriate and disrespectful behavior, intimidation, communications and other conduct directed at an individual because of his or her sex, including conduct that may be defined as sexual harassment.

Applicable federal and state law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission of the conduct is made a term or condition of employment; or (2) submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably interfering with the employees work performance or creating an intimidating, hostile, or offensive working environment. The following list contains examples of prohibited conduct. They include, but are not limited to:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;

- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding and/or blocking movements;
- Retaliation for reporting harassment or threatening to report harassment.
- Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for Coquille, such as clients, customers or vendors.



**ACKNOWLEDGMENT OF VIEWING SEXUAL HARASSMENT VIDEO FOR  
RECREATION DISTRICT NO. 14**

I have viewed the video for sexual harassment training for Recreation District No. 14 and reviewed the policies that are above. I understand that I am responsible for reading, understanding and adhering to the policies and regulations.

I understand that it is my responsibility to adhere to all of the policies and regulations and that if, I become aware of any violation of the policy or regulations I will promptly notify my immediate supervisor.

I also further understand that if I violate any provision or fail to report a violation of which I have knowledge I could be subject to disciplinary action including, but not limited to termination of employment.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DEPARTMENT

\_\_\_\_\_  
SIGNATURE

### Other Types of Harassment

Prohibited harassment on the basis of race, color, religion, national origin, ancestry, physical or mental disability, veteran status, age, or any other basis protected under local, state or federal law, includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement;
- Retaliation for reporting harassment or threatening to report harassment.

### Retaliation

It is against District #14 policy and unlawful to retaliate in any way against anyone who has lodged a harassment complaint, has expressed a concern about harassment, including sexual harassment, or has cooperated in a harassment investigation. Therefore, the initiation of a complaint, in good faith, shall not under any circumstances be grounds for disciplinary action. However, individuals who make complaints that are demonstrated to be intentionally false may be subject to disciplinary action, up to and including termination.

### Enforcement

All managers and supervisors are responsible for:

- Implementing Coquille policy on harassment, which includes, but is not limited to, sexual harassment and retaliation;
- Ensuring that all employees they supervise have knowledge of and understand Coquille policy;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and;
- Conducting themselves in a manner consistent with the policy.

### Harassment Complaint Procedure

Coquille's complaint procedure provides for an immediate, thorough and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit.

Anyone who has been subjected to the conduct prohibited under this policy, or who has knowledge of such conduct, should report this information to his/her manager, the Executive Director or Recreation District #14 Personnel Committee as soon as possible based on the chain of command. However, employees are not required to report any prohibited conduct to a superior who may be hostile, who has engaged in such conduct, who is a close associate of the person who has engaged in the conduct in question or with whom the associate is uncomfortable discussing such matters. Complaints regarding harassment or retaliation may be oral or in writing. Any individual who makes a complaint that is demonstrated to be intentionally false, may be subject to discipline, up to and including termination.

All reported incidents of prohibited harassment will be promptly investigated. When the investigation is complete, a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser. During the investigation, confidentiality will be preserved to the fullest extent possible without compromising Coquille's ability to conduct a good faith and thorough investigation.

If Coquille determines that prohibited harassment has occurred, Coquille will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited harassment is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

Coquille recognizes that actions that were not intended to be offensive may be taken as such. An employee who believes that he or she has been subjected to sexual harassment by anyone is encouraged, but not required, to promptly tell the person that the conduct is unwelcome and ask the person to immediately stop the conduct. A person who receives such a request must summarily comply with it and must not retaliate against the employee for rejecting the conduct. Coquille encourages, but does not require, individuals to take this step before utilizing the above Complaint Procedure.

#### **ANTI-BULLYING**

In addition to Coquille's anti-harassment policy, Coquille believes it necessary to delineate a policy regarding workplace bullying, as such bullying has numerous negative effects on both individual employees and Coquille as a whole. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

Coquille believes all employees should be able to work in an environment free of bullying. Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate or undermine; or which create a risk to the health or safety of the employee(s). Some examples of workplace bullying include repeated acts such as:

- Unwarranted or invalid criticism
- Blame without factual justification
- Being treated differently than the rest of the employees in a work group
- Being the target of cussing or disrespectful language
- Exclusion or social isolation
- Being the target of shouting or other behavior intended to humiliate the employee
- Excessive "prank" jokes or teasing of an employee

Coquille considers workplace bullying unacceptable and will not tolerate it under any circumstances. Supervisors and managers are to assume the responsibility to ensure employees are not bullied. Any employee who bullies a co-worker will be subject to disciplinary action, up to and including termination of employment.

Coquille encourages all employees to report workplace bullying to a supervisor or manager with whom employees are comfortable speaking, or directly to his/her supervisor, manager or designee.

All complaints of workplace bullying will be treated seriously and investigated promptly. In the investigation process, Coquille will attempt to maintain confidentiality to the fullest extent possible.

It is a violation of District #14 policy to retaliate or otherwise victimize an employee who makes a complaint or a witness who serves in the investigation of the workplace bullying allegation.

### **COMPLAINT PROCEDURE**

Coquille subscribes to the open door policy. Employees may bring a particular complaint to their supervisor or manager for resolution. When matters cannot be handled on an informal basis, Coquille has established a formal procedure for a fair review of any work related controversy, dispute or misunderstanding. A complaint may be brought by one or more employees concerning any work-related problem where the complaint has not been satisfactorily resolved in an informal manner.

Step 1 - The complaint must be submitted in writing to a supervisor, manager or designee within three (3) working days of the incident. A written request for a meeting must be submitted simultaneously. Generally, a meeting will be held within three (3) working days of the employee's request depending upon scheduling availability. Witnesses will be allowed as necessary. If the problem is not resolved during this meeting the supervisor, manager or designee will give the employee a written resolution within three (3) working days. If the employee is not satisfied, the employee may proceed to Step 2.

Step 2 - If the employee is not satisfied after Step 1, the employee may submit a written request for review of the complaint and Step 2 solution to the Executive Director/Personnel Committee or his/her designee. Such a request must be made within three (3) working days following the receipt of the Step 1 resolution. The Executive Director/Personnel or appointed representative will review the complaint and proposed solution and may call a further meeting to explore the problem. This meeting is to be attended by the employee concerned, the employee's supervisor or manager, and any other employee of Coquille whom the aggrieved employee chooses. The Executive Director/Personnel or appointed representative will render the final decision within ten (10) working days after receiving the Step 2 request, assuming scheduling availability. The decision will be given to the employee in writing and will become part of the employee's personnel file.

### **CORRECTIVE ACTION**

A high level of job performance is expected of each and every employee. In the event that an employee's job performance does not meet the standards established for the position, employees should seek assistance from their supervisor or manager to attain an acceptable level of performance. If employees fail to respond to or fail to make positive efforts toward improvement, corrective action may ensue, including termination of employment.

It is the policy of Coquille to regard discipline as an instrument for developing total job performance rather than as punishment. Corrective action is one tool Coquille may select to enhance job performance. Coquille is not required to take any disciplinary action before making an adverse employment decision, including discharge. Corrective action may be in the form of a written or oral reprimand, notice(s) of inadequate job performance, suspension, discharge or in

any combination of the above, if Coquille so elects. Coquille reserves its prerogative to discipline, and the manner and form of discipline, at its sole discretion.

If employees violate established District #14 procedures, guidelines, or exhibit behavior that violates commonly accepted standards of honesty and integrity or creates an appearance of impropriety, Coquille may elect to administer disciplinary action.

### **Coquille Parks & Recreation Progressive Discipline Policy**

**Policy:** The progressive discipline process for Coquille Parks & Recreation will be implemented for dealing with job-related behavior, that does not meet expected and communicated performance standards. The progressive discipline policy and procedures do not preclude immediate termination for cause.

**Purpose:** The primary purpose for progressive discipline is to assist the employee to understand that a performance problem or opportunity for improvement exists. The goal of progressive discipline is to improve employee performance. The process of progressive discipline is not intended as a punishment for an employee, but to assist the employee to overcome performance issues and satisfy job expectations.

**Procedures:** Performance standards, expectations, park policies and procedures must be properly communicated through orientation, employee manuals, meetings, briefings, and daily task communications.

- All disciplinary steps will be undertaken in private. No employee will be disciplined in public or in front of his/her co-workers.
- All employees may request representation from a co-worker for Steps 2 - 4.
- All employees will be treated with respect and dignity.
- All employees will treat the Supervisor/Director with respect and dignity.
- All disciplinary steps will remain confidential unless disclosure is required by law.

#### The following items shall be cause for disciplinary actions:

- Health or Safety violation.
- Absenteeism without reasonable cause.
- Reckless behavior.
- Willful damage to property, tools or equipment.
- Carelessness.
- Harassment of any form towards staff members, park visitors or guests.
- Violence.
- Alcohol or drug use.
- Failure to report an unsafe act or condition.
- Theft.
- Insubordination.

#### **Step 1: Verbal Conversation/Coaching– Informal Documentation**

*FORM USED: Record of Employee Conversation*

- Supervisor informally, verbally communicates issue(s) to employee – coaching/mentoring/problem solving.



- Supervisor informally documents date, time, employee name and nature of unsatisfactory behavior and /or performance in summary section of “Record of Employee Conversation Plan” form.

### **Step 2: Written – Formal Documentation**

*FORM USED: Disciplinary Notice*

- Supervisor investigates infringement to ensure facts.
- Supervisor formally, verbally communicates infringement to employee referencing step 1 – coaching/mentoring/problem solving.
- Employee is given opportunity to respond.
- Supervisor will provide counseling and / or accommodation if required.
- Employee is notified. If no improvement is determined, employee will be suspended.
- Follow up meeting date and time is determined – to discuss employee’s improvement or to move to Step 3.
- Supervisor formally documents discussion, action plan, follow up meeting date and time – one copy of documentation is placed in employee’s personnel file, one copy is given to the employee.

### **Step 3: Suspension – Formal Documentation**

*FORM USED: Disciplinary Notice*

- Supervisor investigates infringement to ensure facts.
- A complete assessment is conducted including interviewing any employee who may have knowledge of the situation to obtain additional facts and data.
- Documentation is compiled and reviewed.
- Supervisor and Park Manager formally, verbally communicates infringement to employee referencing previous steps and failure to meet action plan requirements.
- Employee is given opportunity to respond.
- Supervisor will provide counseling if required.
- Employee is notified that if improvement is not determined, the employee will be terminated.
- Employee is suspended – (pay/without pay and time frames determined as per seriousness of infringement and past precedent).
- Return to work times and dates are communicated.
- Follow up meeting date and time is determined to discuss employee’s improvement or to move to Step 4.
- Supervisor formally documents discussion, length of suspension, return to work date and times, and date of follow up interview – one copy of documentation is placed in employee’s personnel file, one copy is given to the employee, one copy is given to pay roll.

### **Step 4: Termination**

- Supervisor and Executive Director investigates infringement to ensure facts.
- A complete assessment is conducted including interviewing any employee who may have knowledge of the situation to obtain additional facts and data.
- Executive Director will clearly explain reasons for termination.
- Executive Director will clearly explain where and when final documents will be available – final pay, separation slip, etc.
- Executive Director formally documents termination interview – retains all documentation on file, copy of discharge to payroll.

## **Grievance Procedure**

If any employee wishes to contest or grieve disciplinary action, they must formally provide a written request to a current member of the Recreation District #14 Personnel Committee within 72 hours, requesting for a hearing.