



No Harassment & No Discrimination Policy

Effective Date: June 1992

BOC Amended: 4/2000; 4/2006; 12/2011; 9/2020

Owner	Board of Commissioners
Reviewer(s)	Human Resources
Approver(s)	Human Resources Director
Related Policies	Conduct and Performance Policy
Related Standards	Rules and Standards of the Cobb County Civil Service Board
Storage Location	iCobb
HR Last Review Date	November 2020
HR Next Review Date	November 2022
HR Review Cycle	Every two years

1. PURPOSE

Cobb County is committed to a work environment in which all individuals are treated with respect and dignity. Individuals have the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Cobb County expects that all relationships among persons will be business-like and free of bias, prejudice and harassment. This policy establishes safeguards for employees against harassment and discrimination in the workplace that are consistent with federal employment law and guidelines enforced by the Equal Employment Opportunity Commission, and sets forth avenues for reporting allegations of harassment and/or discrimination.

2. SCOPE

Board of Commissioners' Employees. If you have questions regarding this policy, contact Human Resources.

3. GOVERNING LAWS, REGULATIONS & STANDARDS

Guidance	Section
Title VII of the 1964 Civil Rights Act	42 USC 2000e, as amended by the Civil Rights Act of 1991
Americans with Disabilities Act of 1990 (ADA); ADA Amendments Act of 2008	Title I (P.L. 101-336)
The Age Discrimination in Employment Act of 1967 (ADEA)	(P.L. 101-433)
Georgia Equal Employment for Persons with Disabilities	O.C.G.A. 34-6A-1
Georgia Fair Employment Practices Act of 1978	O.C.G.A. 45-19
<u>Guidelines of the Equal Employment Opportunity Commission (EEOC)</u>	

4. DEFINITIONS

A. Under this policy, the term "harassment" includes, but is not limited to, offensive slurs, jokes, comments, gestures, pictures, posters, objects or graffiti, and any other offensive verbal, graphic, or physical conduct relating to an individual's race, color, sex (which includes pregnancy, sexual orientation and gender identity), religion, national origin, citizenship, age, or disability. Communications that are harassing include, but are not limited to, those conveyed in person, in writing, via email, text message, social media, or any other form of electronic communication. Such harassment is prohibited when it creates an intimidating, hostile or offensive work environment that unreasonably interferes with an individual's work performance.



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B. Under this policy, "harassment" includes specifically "sexual harassment," which is a form of discrimination. "Sexual harassment" includes engaging in speech or conduct of a sexual nature which is known or should reasonably be known to be unwelcome. It includes, but is not limited to, sexual advances, requests for sexual favors, sexual remarks, suggestive comments and gestures, the display of sexually suggestive pictures, posters, objects or graffiti, offensive physical contact or touching, and other verbal, graphic, or physical conduct of a sexual nature. Such conduct is prohibited when it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

C. Under this policy, the term "discrimination" includes making employment decisions on the basis of an individual's race, color, sex (which includes pregnancy, sexual orientation and gender identity), religion, national origin, citizenship, age, veteran status, or disability or engaging in practices that have the effect of discriminating against individuals on the basis of their race, color, sex, religion, national origin, citizenship, age, veteran status, disability, or any other classification protected by law in matters of employment.

5. POLICY

Cobb County does not and will not tolerate harassment or discrimination of its employees. Toward this end, Cobb County will strive to create an environment free of harassment and discrimination. Included in this approach is the requirement of mandatory No Harassment/No Discrimination training for all Board of Commissioners' employees, including supervisors, managers and department/agency heads.

No supervisor or other member of management has the authority to suggest to any employee that the employee's continued employment or future advancement will be affected in any way by that employee's entering into (or refusing to enter into) any form of personal relationship with a supervisor or member of management. Supervisors or other members of management who are found to have engaged in such behavior will be subject to disciplinary action, according to this policy.

Cobb County is committed to taking prompt and reasonable steps to investigate allegations of harassment and/or discrimination and to taking appropriate corrective action to eliminate harassment and/or discrimination. Harassment or discrimination can be perpetrated by employees, vendors, contractors, or members of the community. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, including but not limited to business trips, business meetings and other business-related social events.

Cobb County will not tolerate retaliation against an individual for reporting violations of this policy and/or for participating in an investigation of a complaint.

If Cobb County determines that an employee's conduct has violated this policy, the County will take steps to ensure the conduct is effectively addressed, and any employee found to have engaged in harassing, discriminatory or retaliatory conduct will be subject to disciplinary action, up to and including termination. Further, a policy violation not resulting in termination will be taken into consideration in any performance appraisal or promotional decision.

6. PROCEDURES

A. An employee should not assume that the County is aware of any problems s/he may be experiencing or that the County is aware of any problems being experienced by other employees. It is the responsibility of employees to bring any complaints or concerns to the County's attention so that they may be addressed. An effective No Harassment No Discrimination policy depends on all employees working together to address this very important subject; therefore, the following alternate avenues are available to employees to report acts they believe to be discriminatory or harassing:



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(1) Any employee who believes s/he has been harassed or discriminated against by any County employee, contractor, vendor, or member of the general public, must report the matter to someone in his/her chain of command. Those receiving the complaint must then immediately report the complaint to Human Resources for review and/or investigation. As an alternative to the requirements for reporting outlined above, any employee who believes s/he or any other individual has been harassed or discriminated against by any party may contact the Human Resources director, the employee relations specialist, the county attorney or the county manager.

(2) Any employee who has knowledge or information that any other individual has been harassed or discriminated against by any individual listed in Section (A)(1) above must follow the reporting structure as outlined in Section (A)(1) above.

(3) Any employee who believes that his/her complaint has not been handled appropriately, must immediately contact the Human Resources Director.

(4) In addition, Cobb County encourages individuals who believe they are being subjected to such conduct, if they feel comfortable, to promptly advise the offender that his/her behavior is unwelcome and to request that it be discontinued. Employees are encouraged to document their notice to the offender, including the date, time and manner in which the employee notified the offender that the behavior is unwelcome. Often this notice alone will resolve the problem. Cobb County recognizes, however, that an individual may prefer to pursue the matter through the above outlined complaint procedures.

B. Complaints will be promptly, thoroughly, and impartially investigated by Human Resources, as determined by the Human Resources Director and/or the County Attorney. When notified, employees will be required to participate and cooperate in an investigation and employees will be required to cooperate and provide full and truthful information. Failure to cooperate in an investigation, including the requirement to provide truthful information, may result in disciplinary action, up to and including termination. Once reported, complaints of harassment and/or discrimination cannot be withdrawn by the complaining employee(s).

C. Where violations of this policy have occurred, timely and appropriate disciplinary action, up to and including termination, will be taken. While some petty slights, annoyances, or isolated incidents may not rise to the level of severe or pervasive behavior that would violate this policy, these behaviors may violate other Cobb County policies, and will be addressed promptly.

D. Complaints will be kept as confidential as possible within the confines of a reasonable investigation.

E. No employee will be retaliated against for voicing a complaint in good faith, or for participating in an established complaint resolution process. Anyone who intentionally supplies false or misleading information (to include the original complaint), or who attempts to harass, intimidate or retaliate against an employee for filing a complaint, or for providing information in connection with a complaint will be subject to disciplinary action, up to and including termination of employment.

7. EXCEPTIONS

Exceptions to this policy must be justified and approved in advance by the Board of Commissioners.

8. NON-COMPLIANCE

Violations of this policy may include disciplinary action according to applicable County policies.



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REVISION HISTORY

Version ID	Revision Date	Author	Reason for Revision
	06-1992		Adoption
	04-2000		Revision
	04-2006		Revision
	12-2011		Revision
	09-2020		Revision
v.1.0.2020	10-2020		Reformat