

ANTI-DISCRIMINATION AND ANTI-HARASSMENT

Adopted: 09/18/2019

The State Appellate Defender Office desires its employees to be free of discrimination or harassment while working. More specifically, it is SADO's policy that none of its employees may be subjected to discrimination or harassment, particularly discrimination or harassment forbidden by law involving one's race, religion, sex, age, national origin, color, marital status, veteran status, disability, or any other protected category. This prohibition includes sexual harassment as described in this policy. All types of illegal discrimination or harassment are prohibited and SADO will take strong disciplinary steps, up to and including discharge, against any employee who it determines engages in such discrimination and/or harassment.

1. Policy Requiring Reporting of Any Discrimination Against or Harassment of Employees:

It is also the policy of SADO that any employee who believes they have been subjected to such discrimination or harassment, or believes they have observed another employee being subjected to such discrimination or harassment, has a duty to report that fact immediately to their supervisor or any other manager they might feel more comfortable with. Managers are the Director, Deputy Director, Secretary to the Appellate Defender Commission, and the Human Resources Manager. A Complaint and Harassment Report Form, which is included in the Appendix of this handbook and can also be obtained from Human Resources, should be completed as soon as possible by the complaining party.

A report or complaint will be investigated and remedial action, up to and including immediate discharge, will be undertaken as appropriate. To the extent possible, the investigation will be conducted in a manner calculated to protect the privacy of the individuals involved, and the confidentiality of the complaint.

If a report of discrimination or harassment is made in good faith, SADO will protect the reporting employee from retaliation or any other detrimental impact on their employment. If a complainant wants to stop the investigation (for reasons unrelated to the merits) SADO may complete the investigation and resolve the problem.

2. Sexual Harassment Defined:

SADO's general policy against discrimination and harassment, which requires the reporting of any such acts experienced or observed, includes a prohibition against sexual harassment.

The law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when either:

- A. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's hiring or employment; or
- B. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment. This includes but is not limited to:
 - 1) Sexually-oriented jokes, gestures, noises, remarks or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee, supplier, and/or customer;
 - 2) Sexual or discriminatory displays or publications anywhere in the workplace; and
 - 3) Retaliation for sexual harassment complaints.

3. Other Harassment Defined:

SADO's general policy against discrimination and harassment includes the prohibition against harassment on account of race, religion, national origin, color, disability, veteran status, marital status, age, sex, pregnancy, and any other protected status.

Such harassment includes:

- A. Making offensive comments, slurs, epithets, or jokes; and/or
- B. Circulating offensive literature or other biased electronic or printed material, including material that jokes about or ridicules others.

This policy requires that each person exhibit, in their conduct and communications, sound judgment and respect for the feelings and sensibilities of every other employee, customer and vendor of SADO. We have a pleasant working atmosphere and we wish to keep it that way by ensuring that all employees, customers, and vendors are treated with mutual consideration and respect.