

ICRC FactSheet

Sample Policy Prohibiting Harassment in the Workplace

A key component in preventing harassment is having each employer develop and implement a policy which prohibits harassment in the workplace. Having such a policy in place is also an important part of an employer's defense should a harassment complaint be filed against the employer. This policy should be separate from and in addition to a general anti-discrimination policy.

A good policy will set forth procedures that will encourage victims to come forward, that will protect confidentiality of the persons involved, that guards against retaliation, and that brings complaints to a resolution. The following elements should be included in a policy:

- Statement prohibiting harassment in this employer's workplace.
- Definition of harassment and examples of prohibited behaviors.
- Explanation of complaint procedures and designation of person(s) to whom complaints should be made.
- Assurance that a prompt, thorough and confidential investigation will take place.
- Assurance that if a violation of the policy is found, that there will be prompt corrective action by the employer.
- Assurance that there will be no retaliation against a person for reporting harassment.

The policy should be regularly and clearly communicated to all employees. It should be posted in work areas, and a copy given to each employee. The employer should sensitize all employees to the issue, by providing information and training. Supervisors and managers need to be trained about their roles in preventing harassment and about what to do if harassment happens. This training needs to be on-going, so that all new employees will have the same information. Persons designated to receive and investigate complaints need specialized training in these skills.

If you believe you may have been treated unfairly in the areas of employment, housing, education, credit or public accommodations, call:

IOWA CIVIL RIGHTS COMMISSION

Grimes State Office Building
400 E. 14th Street
Des Moines, IA 50319
(515) 281-4121, (800) 457-4416
515-242-5840 FAX
www.state.ia.us/government/crc

The Commission also provides educational materials on civil rights and discrimination, and has a video lending library. For a list of the publications and videos, visit our WebPages, or call the office.

Staff members are available to make presentations on a variety of topics, including preventing harassment or conducting an internal investigation. Contact the office to make arrangements for a program or speaker.

For additional information on harassment or other issues regarding discrimination, you may also contact any of these state agencies:

DIVISION ON THE STATUS OF WOMEN

(515) 281-4461, (800) 558 4427
E-mail: dhc.icsw@dhr.state.ia.us
Web site: www.state.ia.us/dhr/sw

DIVISION ON STATUS OF AFRICAN AMERICANS

(515) 281-3855

DIVISION OF LATINO AFFAIRS

(515) 281-4080

DIVISION OF PERSONS WITH DISABILITIES

(515) 242-6142

The mailing address for these agencies is:

%Iowa Department of Human Rights
Lucas State Office Building
Des Moines, Iowa 50319
FAX: (515) 242-6119

Sample Policy on other side.....

Sample Policy Prohibiting Harassment in the Workplace

Every employee of the (your name) company has the right to a workplace free from harassment. Harassment of anyone on the bases of race, religion, color, national origin, age, sex, sexual orientation, gender identity, or physical or mental disability is prohibited by law and by the policies of this company. Harassment because of personal appearance, marital status or other personal characteristics, is disrespectful and also prohibited by company policies.

Harassment can include such behavior as slurs, demeaning jokes or comments, innuendoes, unwelcome compliments, cartoons, pictures, pranks, hazing, stereotypical comments, derogatory descriptions or other verbal or physical conduct. Such behavior is considered harassment when it has the purpose or effect of creating an intimidating, hostile, or offensive working environment; unreasonably interferes with an individual's work performance; or affects an individual's workplace opportunities.

Sexual harassment is a type of harassment that occurs when the verbal or physical conduct described above is sexual in nature or gender-based. Sexual harassment involves making unwelcome sexual advances, or requests for sexual favors or other conduct of a sexual nature, a condition of employment; or making submission to or rejection of such conduct the basis for employment decisions; or creating an intimidating, offensive, or hostile working environment by such conduct.

Any employee who believes that he or she has been the subject of unwelcome harassment from another employee, a supervisor or manager, or from an outside party in the workplace, or who has observed harassment in the workplace, is encouraged to identify the offensive behavior and request that it stop. If you are unable to address the matter directly to the harasser, or if you do and the behavior continues, report the matter directly to Ms. (name or position) or Mr. (name or position) in the Human Resources Department (or the person designated to receive harassment complaints).

All complaints will be investigated promptly, impartially, and discreetly. Upon completion of the investigation, the appropriate parties will be notified of the findings. If any employee is found by the company to have harassed another employee, appropriate corrective action will be taken. This could range from a disciplinary warning up to and including termination.

No employee will suffer retaliation for reporting alleged instances of harassment. Employees and management must work together to prevent and stop harassing conduct in the workplace.

We trust that the employees of (your name) company will act responsibly to maintain a safe workplace, will treat each other with dignity and respect, and will work to maintain a workplace free of discrimination and harassment.

This is a suggested policy and is not to be construed as legal advice. Consult your company's attorney for the policy language that is most appropriate for your company.