

115 – HARASSMENT

A. In order to maintain a positive work environment for all employees, sexual harassment or harassment on the basis of sex (including sexual orientation, gender identity or expression), age, race, color, religion, national origin, genetic information including family medical history, or disability is prohibited.

B. Sexual Harassment

1. Sexual harassment is any unwelcome verbal, nonverbal, or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
2. Sexual harassment may include requests for sexual favors, sexual advances, verbal abuse of a sexual nature, displays in the workplace of sexually suggestive objects or materials or other conduct or communication of a sexual nature.

C. Other Prohibited Harassment

Other prohibited harassment includes verbal, nonverbal, or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, sex (including sexual orientation, gender identity or expression), national origin, age, genetic information including family medical history; the presence of any mental or physical disability; or status with regard to marriage or public assistance.

D. Reporting and Investigation Procedures

1. Employees must report any incidents of harassment toward them or another employee to an immediate supervisor, appointing authority, or the Human Resource Director. Once notified of an issue, the supervisor or appointing authority must contact the Human Resource Director or designee, unless the complaint is against the Human Resource Director in which case the State Court Administrator must be notified.
2. The Human Resource Director or designee will investigate all complaints promptly, thoroughly, and impartially in as confidential a manner as possible and allowed by law. If the complaint is against the Human Resource Director, the State Court Administrator or designee will investigate.

E. Retaliation Prohibited

1. The Court System prohibits retaliation of any kind against employees, who, in good faith, report harassment or assist in investigating such complaints.
2. Any employee who engages in conduct determined to be harassment or who makes false accusations of harassment will be subject to corrective action up to and including dismissal.

Approved by the Supreme Court 4/1/12; amended 9/24/20