# NORTH CENTRAL EDUCATIONAL SERVICE DISTRICT
# BOARD POLICY

**No. 5010**

## WORKPLACE ANTI-HARASSMENT/DISCRIMINATION POLICY

The North Central ESD (NCESD) Board of Directors (Board) is committed to a work environment in which all individuals are treated with respect and dignity. Every individual has the right to work in an atmosphere that prohibits unlawful discriminatory practices. Therefore, the NCESD Board expects that all relationships among persons in the NCESD work environment will be respectful and free of bias, prejudice and harassment.

NCESD prohibits any discrimination or harassment based on race, color, religion, national origin, ancestry, sex (including pregnancy, sexual orientation and gender identity or expression), age, disability, marital status, citizenship, genetic information, military status, or other characteristic protected by law except insofar as such factors are valid occupational qualifications.

Under this policy, harassment is defined as verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, ancestry, sex (including pregnancy, sexual orientation and gender identity or expression), age, disability, marital status, citizenship, genetic information, military status, or other characteristic protected by law or that of his/her relatives, friends or associates, and that:

1. has the purpose or effect of creating an intimidating, hostile or offensive work environment;
2. has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. otherwise adversely affects an individual's employment opportunities.

**Sexual harassment** constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

1. Submission to the conduct is made explicitly or implicitly a term or condition of the staff member's employment; or
2. Submission or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the staff member's work performance or otherwise creates an intimidating, hostile or offensive working environment.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace. Any employee who believes that he/she has been subjected to discriminatory harassment on the job shall bring this to the immediate attention of his/her immediate supervisor, the Executive Director, Human Resources /Compliance Officer or any NCESD administrator with whom he/she feels comfortable in discussing the matter. Directors, managers/supervisors are responsible for receiving informal complaints and reports of sexual harassment and are also responsible for directing complainants to the formal complaint process provided in NCESD Administrative Procedures.

All such complaints shall be promptly investigated and, where appropriate, immediate corrective action will be taken. To the highest degree possible, allowing for a fair investigation, all such complaints will be treated in the strictest confidence.

Any employee who has been found, after appropriate investigation, to have sexually harassed another employee or harassed another employee based on any other protected characteristics, will be subject to disciplinary action and/or discharge.

The Superintendent is directed to develop procedures that provide for receiving, investigating and resolving a complaint from any employee who alleges that he/she has been subjected to any form of discriminatory harassment addressed in this policy.

**Reference:**
RCW 28A.310.220
RCW 28A.640.020 WAC Regulations, guidelines to eliminate discrimination – Sexual harassment policies
WAC 392-190-058 – Sexual harassment
Sec 703, Title VII of the Civil Rights Act of 1964
29 CFR 1604.11 Sexual harassment

Adopted: 2/23/99

Revised: 11/22/16, 4/25/18