

KING COUNTY PROSECUTING ATTORNEY'S OFFICE
POLICY ON NONDISCRIMINATION AND ANTI-HARASSMENT

It is the policy of the Prosecuting Attorney's Office that there be no discrimination against any employee or applicant on the basis of his or her race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin, or disability. The Prosecuting Attorney's Office will not tolerate harassment by any of its employees.

DEFINITIONS:

“Discrimination” means any act or failure to act which adversely affects individuals, by reasons of race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin, or disability, unless based upon a bona fide occupational qualification.

“Harassment” can take many forms and may include slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, pranks, and/or other verbal or physical conduct relating to an individual, on the basis of race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin or disability. Harassment is unwelcome conduct that is sufficiently severe or pervasive to alter the terms or conditions of employment.

“Sexual harassment” is a type of harassment and may include unwelcome sexual advances, requests for sexual favors, displays of sexual-oriented materials, and other verbal or physical conduct of a sexual nature. Sexual harassment is unwelcome conduct that is sufficiently severe or pervasive to alter the terms or conditions of employment. In addition, sexual harassment includes unwelcome conduct when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

“Retaliation” means to take an adverse employment action against an individual because he/she has exercised his/her rights protected under the law by complaining in good faith about discrimination, harassment, and/or retaliation, or assisted or participated in an investigation of such allegations.

OFFICE RELATIONSHIPS

Employees often form personal relationships with coworkers, supervisors and subordinates. Sometimes, these professional relationships evolve into romantic or intimate relationships. The PAO does not ban intimate relationships among PAO employees. But when an office romance develops, there is a concern for a potential sexual harassment claim, conflict of interest, or perceived favoritism.

The PAO strongly discourages supervisor-subordinate¹ intimate relationships. Employees are also encouraged to disclose intra-office intimate relationships to their supervisor, Chief Deputy or Human Resources if that relationship involves a supervisor and subordinate.

The purpose of disclosure is to assist the PAO in avoiding conflicts of interest, perceived favoritism and minimizing potential litigation risks. Once an intimate relationship is disclosed, management will make efforts to avoid placing intimately-involved employees in a situation where one is supervised or evaluated by another.

COMPLAINT RESOLUTION PROCEDURE:

Employees are encouraged to report harassment before it becomes severe or pervasive.

Employees who believe they have experienced discrimination, harassment, and/or retaliation shall report such incidents immediately to the Chief of Staff, Personnel Director, his/her supervisor, his/her Section Head, or his/her Division Chief without fear of retaliation. The employee should tell the alleged harasser to stop the behavior.

Employees or applicants who believe they have witnessed, or learned of what may be discrimination, harassment, and/or retaliation, are strongly encouraged to come forward.

Supervisors or members of management who witness or learn of possible discrimination, harassment, and/or retaliation, or who receive a complaint from an employee regarding such allegations, shall report the possible discrimination, harassment, and/or retaliation to the Personnel Director. Supervisors or members of management who fail to comply with this responsibility may be subject to discipline.

The Personnel Director or his or her designee has the responsibility of investigating and resolving complaints of harassment, discrimination, and/or retaliation. If, however, a complaint is against the Personnel Director, it should be reported directly to the Chief of Staff or the Prosecuting Attorney.

The Prosecuting Attorney's Office shall:

¹ Supervisor/Subordinate relationship for this purpose is defined as any relationship where the supervisor may have input into the subordinate's evaluation, rotation, work assignments or promotion prospects.

1. Conduct a prompt and thorough investigation to determine whether a violation of this policy has occurred based on all facts and circumstances, the nature of the allegation, and the context in which the alleged incidents occurred.
2. Take prompt, effective action to end the harassment, discrimination, and/or retaliation. Implement any identified corrective remedial and/or preventative measures.
3. Inform the employee who raised the complaint, the accused employee, and the supervisor who received the complaint of the results of the investigation, whether or not there was a finding of discrimination, harassment, and/or retaliation.

Employees who are found to have violated this policy may be subject to discipline, up to and including termination.

This policy does not create an employment contract or term or limit the reasons for dissolution of the employment relationship. This policy does not constitute an express or implied contract, and is simply a general statement of the Prosecuting Attorney's Office policy which cannot form the basis for a private right of action.

ACKNOWLEDGMENT OF RECEIPT

I certify that I have received a copy of the Office of the Prosecuting Attorney's policy on Nondiscrimination and Anti-Harassment (Revised 4/01). I agree to follow and comply with this policy.

Employee Signature

Printed Name

Date