



## OPERATING POLICIES

O.P. NUMBER	TITLE	ISSUE DATE	REVISION DATE
<b>H-13</b>	<b>Sexual Harassment Prohibition Policy</b>	<b>5/8/8</b>	

**SUMMARY**

The Metropolitan Water District of Southern California:

- Will not tolerate sexual harassment in any form in the workplace
- Will take action to prevent and eliminate it, as required by law.

**SUPERSESION**

None

**AUTHORITY**

The Metropolitan Water District maintains a sexual harassment prohibition policy as authorized by federal and state laws, statutes or regulations.

**DEFINITIONS**

Sexual harassment is a form of sex discrimination and is an unlawful employment practice which impacts morale, motivation and job performance.

It is defined by the Equal Employment Opportunity Commission (EEOC) as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of the conduct by an individual is used as a basis for employment decisions affecting such individual, or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Types of behavior that can be considered sexual harassment include but are not limited to:

- Unwanted sexual advances
- Discussing or telling off-color jokes
- Offering employment benefits in exchange for sexual favors
- Engaging in hostile, unwelcome or unnecessary physical conduct
- Commenting on physical attributes
- Displaying sexually suggestive pictures or materials
- Using demeaning or inappropriate terms
- Using crude or offensive language
- Sending suggestive, crude or offensive language or materials through email or other communication media



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**POLICIES**

1. The prohibition against sexual harassment applies to all transactions of Metropolitan's business, whether at a Metropolitan-operated facility or an external site.
  
2. If an employee believes that he or she has been sexually harassed by any Metropolitan employee, vendor, client, or other business contact, the employee should immediately report the incident directly to their supervisor or the EEO Program Office. If the supervisor is involved in the reported conduct or for some reason the employee feels uncomfortable making a report to that supervisor, the employee should report the incident directly to the EEO Program Office.
  
3. Engaging in sexual harassment is conduct subject to disciplinary action, up to and including discharge.
  
4. All complaints of sexual harassment are taken seriously, investigated promptly, and appropriate action taken against individuals found to have engaged in sexually harassing conduct. Metropolitan has established and maintains an internal complaint procedure for processing alleged violations of the policy.
  
5. Metropolitan does not retaliate, nor tolerate retaliation against employees who, in good faith, engage in the complaint process or participate in an investigation. Any act of retaliation should be reported immediately to a supervisor or the EEO Program Office who will investigate any such report and will take whatever corrective action is deemed necessary. Any person, who initiates an action as a reprisal against an employee for engaging in the complaint process, opposing sexual harassment or for participating in an investigation, is subject to disciplinary action, up to and including dismissal.



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### POLICIES (cont)

6. Complaints made frivolously, in bad faith or without factual basis may constitute defamation and may be actionable by the respondent. Such complaints may result in disciplinary action, up to and including dismissal.
  
7. Metropolitan employees receive a copy of this policy during new employee orientation and review it as part of their mandatory sexual harassment prevention training.

### RESPONSIBILITIES

The **EEO Program Manager** is responsible for:

- Establishing, maintaining and enforcing a policy prohibiting sexual harassment
- Establishing internal complaint procedures for addressing violations
- Receiving and processing complaints allegedly in violation of this policy and for investigating such complaints promptly, thoroughly and impartially
- Assuring that Metropolitan takes immediate and appropriate corrective action when it is determined that harassment has occurred
- Providing sexual harassment prevention training to managers, supervisors and employees.

Metropolitan **managers or supervisors** are responsible for:

- Not engaging in, condoning or tolerating behavior that could reasonably be considered a violation of this policy
- Creating an environment where employees do not feel intimidated and/or prevented from reporting an incident in violation of this policy
- Monitoring the work environment of their employees for signs of sexual harassment or inappropriate conduct that could violate this policy
- Immediately reporting conduct that may reasonably violate this policy to the EEO Program Manager
- Cooperating in an investigation related to any complaint in violation of this policy and are prohibited from discussing the complaint outside of the investigative process. Failure to cooperate or deliberately providing false or misleading information during an investigation or discussing the complaint outside of the investigative process may be grounds for disciplinary action, up to and including discharge



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**RESPONSIBILITIES  
(cont)**

- Not engaging in, condoning or tolerating behavior that could reasonably constitute retaliation of an employee for alleging or opposing sexual harassment or participating in an investigation
- Successfully completing sexual harassment prevention training as mandated.

Metropolitan **employees** are responsible for:

- Not engaging in behavior that could reasonably be considered a violation of this policy
- Cooperating in an investigation related to any complaint in violation of this policy and are prohibited from discussing the complaint outside of the investigative process. Failure to cooperate or deliberately providing false or misleading information during an investigation or discussing the complaint outside of the investigative process may be grounds for disciplinary action, up to and including discharge.
- Not engaging in behavior that could reasonably constitute retaliation of an employee for alleging or opposing sexual harassment or participating in an investigation
- Successfully completing sexual harassment prevention training as mandated.

**REFERENCE**

- [Administrative Code, Sections 6219, 6300](#)
- [Operating Policy H-03](#)
- Applicable federal and state laws, statutes and regulations
- Discrimination Complaint Procedures
- [Memoranda of Understanding \(various\)](#)

**APPROVAL**

original signed by Jeffrey Kightlinger  
Jeffrey Kightlinger, General Manager

5/13/08  
Date