



SLSO 303	<p style="text-align: center;">GENERAL ORDERS</p> <p style="text-align: center;">CHAPTER: PERSONNEL</p> <p style="text-align: center;">SUBJECT: SEXUAL HARASSMENT</p>	 <p style="text-align: center;">ST. LANDRY PARISH SHERIFF'S OFFICE</p>
<p style="text-align: center;">RELATED CALEA</p> <p style="text-align: center;">26.1.2 26.1.3</p>		
<p style="text-align: center;">RELATED LOUISIANA CODE</p> <p style="text-align: center;">42:342</p>	<p>EFFECTIVE: 07/01/2007</p> <p>REVIEWED: 09/12/2022</p> <p>REVISED: 01/01/2019</p>	
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I. Title VII of the Federal Civil Rights Act of 1964 (42 U.S.C. §2000(e) recognizes sexual harassment as a form of sexual discrimination. The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as follows:

- A. “Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature . . . when (1) submission to such conduct is made either explicitly with a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) 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.”
- B. Broad examples of unacceptable behavior under Title VII and Louisiana RS 42: 342, as enacted in the 2018 regular session of the Louisiana State Legislature, are as follows:
 - 1. Using vulgar or sexually suggestive language;
 - 2. Relating lewd or offensive jokes or showing pornographic images;
 - 3. Inappropriate touching or;
 - 4. Expressing either explicitly or by implication that granting or withholding of sexual favors will result in either favorable or unfavorable treatment in the workplace, as the case may be.

II. 29 C.F.R. §1604.11(a)/La. RS 42: 342

- A. Policy:
 - 1. It is the policy of the St. Landry Parish Sheriff’s Office to prohibit any form of sexual harassment of or by the Sheriff’s employees.
- B. Purpose and Importance:
 - 1. The purpose of this policy is to provide uniform guidance and procedures regarding sexual harassment in conformity with applicable federal, state, and local laws. This policy demonstrates the Sheriff’s commitment to compliance with the law concerning sexual harassment establishes a process for handling of

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sexual harassment complaints and responds to the potential impact of sexual harassment on absenteeism, productivity, and turnover.

C. Application:

1. This policy applies to all employees and appointees of the St. Landry Parish Sheriff's Office, including commissioned deputies. This policy covers both sexual harassment by either sex toward the other, and sexual harassment between members of the same sex.

D. Definitions:

1. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature constitutes sexual harassment. The sexual favors sought need not be personally for the person requesting the favors.
2. Sexual harassment may take either of two forms: "Quid Pro Quo" (this in exchange for that) harassment by a supervisor or other officers of greater rank, or "hostile environment" sexual harassment. Both forms of sexual harassment are equally prohibited by the policy.
 - a) Quid Pro Quo harassment takes place when submission to such conduct is made either an explicit or implicit term or condition of an individual's employment, or submission or rejection of the conduct by the individual is used for employment decisions such as performance appraisal, compensation, promotion, work assignments or similar matters. This conduct is unlawful and prohibited by the policy.
 - b) Hostile environment sexual harassment takes place when such conduct, whether committed by a supervisor or non-supervisor, has the effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment. This conduct is also prohibited both by law and this policy.
 - c) Specific examples of prohibited conduct include but are not limited to, sexual advances or propositions, repeated offensive sexual flirtations, continued or repeated comments about a person's body of any parts

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thereof, sexually offensive language or jokes, and display at work of sexually suggestive pictures or objects as previously alluded to in Section I B.

- d) Sexually harassing conduct violations may be committed by supervisors, managers, other employees, and persons such as inmates who, although not employees, are on the premises administered by the Sheriff. Sexually harassing conduct by any of these individuals is strictly prohibited.


E. Complaint Procedure (For Sexual Harassment Matters Only):

1. Alleged harassment by employees:

- a) Employees who believe they have been sexually harassed by an employee or of the Sheriff should tell the person or persons harassing them that their behavior is offensive and must stop. The problem should be immediately reported to their direct supervisors. However, if the immediate supervisor is the person directly or indirectly responsible for the harassment, the employee should instead report the problem to another officer of greater rank at the site. In the rare event that all site personnel are involved, the employee may bring the matter directly to the attention of the Sheriff or the Chief Deputy.
- b) All complaints of sexual harassment will be documented and investigated in a timely and responsible manner. To the extent possible, consistent with a thorough investigation, the information supplied by the complainant will be held confidential, except when released due to legal compulsion. Nothing herein shall prohibit the Sheriff from exercising discretion in disclosing any material or statements obtained from the complainant, witnesses or the accused, to any court, board, or agency, or from waiving any privilege to which the Sheriff is entitled. All witnesses and those interviewed during the investigation will be required to treat the matter as confidential. The purpose of confidentiality shall be to protect, to the extent practicable, both the complainant and the accused.


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- c) Investigation of sexual harassment complaints will be carried out in a serious manner and will, whenever practicable, include interviewing the complainant, all relevant witnesses, and the accused. Employees are to cooperate fully in such investigations. Employees who file a complaint or participate in investigations shall be protected from any form of retaliation arising out of the filing of the complaint or participation in the investigation. Any employee who impedes an investigation, covers up the truth of the matter, or retaliates against a complainant shall be subject to disciplinary action, which may include discharge. When an employee who in lodging a complaint puts forward a reasonable claim of fear of physical harm, to the extent practicable, immediate steps will be taken to separate or protect the employee from the alleged harasser. The burden of transfer shall not automatically be assigned to either the complainant or the alleged harasser but shall be determined in light of the circumstances involved. If an employee complains of a sexual assault that may constitute a crime, the matter shall immediately be brought to the attention of the Sheriff or Chief Deputy.
- d) If at the completion of the investigation, the complaint appears to be valid and supported by the evidence, appropriate disciplinary action, (which may include discharge), designed to halt the harassment or prevent any recurrence will be taken.
- e) Until the investigation is complete, a decision is reached, and all internal appeals exhausted, temporary measures such as suspension or transfer may be utilized.
- f) Because it is the Sheriff's policy to encourage employees to come forward when they believe they have been sexually harassed, although an investigation may not reveal sufficient facts to warrant disciplinary action against the accused, the complainant shall be privileged in having brought complaint, absent a finding supported by evidence that the

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complaint is entirely false and motivated by malice. In the latter instance, the employee who made the malicious and false accusation shall be subject to disciplinary action, which may include discharge, and such disciplinary action shall not be considered retaliation for filing the complaint.

- g) Either the complainant or the accused may submit the findings and decisions reached at the conclusion of an investigation to the personal review of the Sheriff, by making a written request within five (5) working days of the date they are informed of the decision. The decision of the Sheriff shall be final.
2. Alleged harassment by inmates:
 - a) Harassment by inmates shall be treated as a disciplinary infraction and shall be subject to investigation and punishment according to the rules and procedures governing inmate behavior and discipline.
 - b) Personnel who are the subject or who observe acts of harassment by inmates shall report the infraction according to the disciplinary procedures of the facility.
 3. Third parties that engage in harassment:
 - a) Harassment by third parties such as vendors, visitors, etc., who are neither employees nor inmates, will not be tolerated and shall be subject to investigation and appropriate corrective measures.
 - b) Personnel who are subjected to or who observe acts of harassment committed by third persons shall report the incident(s) to the Chief Deputy or other ranking officer of the department.
 4. Alleged harassment by the Sheriff: (26.1.3)
 - a) Employee alleging sexual harassment by the Sheriff will bring his/her allegations directly to the St. Landry Parish District Attorney, located in Opelousas, La. Upon the District Attorney receiving the report of


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allegations, the District Attorney will appoint an investigator, without bias, to investigate the allegation.

- b) Investigation results will remain confidential until such time as legal action is mandated.


III. Responsibilities:

- A. All employees will be held responsible and accountable for complying with this policy. All employees are expected to make a conscious effort to avoid any speech or conduct that may be perceived as sexual harassment.
 - 1. Employees who observe sexual harassment should:
 - a) tell the offender to stop;
 - b) support the victim;
 - c) document their observations as specifically as possible; and
 - d) discuss the problem with their supervisors and higher ranking officers.
- B. All personnel with the rank of Captain and higher (“higher ranking officers”) and all supervisors are assigned the responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action where warranted. High ranking officers and supervisors must open and maintain communications channels to permit employees to raise concerns about sexual harassment without fear of retaliation; stop any observed sexual harassment; and treat sexual harassment matters with sensitivity, confidentiality, and objectiveness. A high ranking officer or supervisor’s failure to carry out these responsibilities may be reflected in the high ranking officer or supervisor’s performance review, salary adjustment, or may result in discipline or discharge.
- C. Administration of the complaint procedure and the carrying out of timely and thorough investigations is assigned to the Chief Deputy. All investigations and internal and external reports shall be subject to the supervision and advice of the Chief Deputy. In some cases, the Chief Deputy may assign an attorney to conduct the investigation and write the investigation report. Persons accepting complaints are also responsible for

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making timely reports to the Chief Deputy of the filing of complaints and the results of investigations. Supervisors are responsible to ensure that this policy is properly posted at their site and that every employee has personally received a copy of the policy. New employees should receive a copy during their initial orientation. This policy must be re-disseminated whenever it is changed. Employees must sign an acknowledgment of personal receipt of a copy of the policy.

- D. The Chief Deputy shall ensure that training programs to educate and sensitize all personnel regarding this policy are in place, and shall audit all investigations for consistency and effectiveness in the administration of disciplinary action. The training programs dealing with sexual harassment shall be developed by the St. Landry Parish Sheriff's Office Training Division and shall be provided for all new employees and also conducted on a refresher basis each calendar year for all existing employees by the Training Office. Classes shall be a minimum of one hour in duration except for personnel authorized to accept and/or investigate allegations of sexual harassment where additional training will be administered as required. Mode of delivery can either be classroom and/or on-line and class syllabus and attendance shall be documented.
- E. The Sheriff or his/her designee shall prepare an annual report no later than February 1st of each year. The report will be kept on file and made available upon request in a timely manner. The report shall contain the following information compiled for the prior calendar year:
 - 1. The number and percentage of employees who have completed the requisite training requirements;
 - 2. The number of sexual harassment complaints received by the agency;
 - 3. The number of complaints which resulted in a finding that sexual harassment occurred;
 - 4. The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action;
 - 5. The amount of time it took to resolve each complaint.

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IV. Modifications of this Policy:

- A. The Sheriff reserves the right to alter, modify, or amend this policy at any time at his sole discretion, with or without individual notice to employees.



Bobby J. Guidroz, Sheriff