

**FLORIDA CROWN WORKFORCE BOARD, INC.  
POLICY**

**POLICY TITLE: Sexual Harassment Policy**

**POLICY NUMBER: ADM-005-02**

**DATE EFFECTIVE: October 11, 2002**

**DATE REVIEWED: July 20, 2010**

---

**APPLICATION:**

Florida Crown Workforce Board, Inc. (FCWB) employees, contractors, providers & customers.

**PURPOSE:**

To set forth the Sexual Harassment Policy of FCWB.

**EFFECTIVE DATE:**

Upon Issuance

**AUTHORITY:**

Section 188 of the Workforce Investment Act of 1998 (WIA) 29 CFR Part 31, U. S. Department of Labor's Regulations Implementing Title VI of the Civil Rights Act of 1964, as amended, Executive Order 11246, as amended, Title IX of the Education Amendments of 1972, as amended

**POLICY:**

FCWB adopts a zero-tolerance for Sexual Harassment. FCWB adopts the policy of the State of Florida with regard to sexual harassment contained in Rule 60L-36.004 F.A.C., which applies to state employment and states:

**"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature from any person directed towards or in the presence of an employee or applicant when:**

- a. submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment;
- b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; 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.

**Sexual harassment is unlawful, and will not be tolerated towards FCWB employees, contractors, service providers, or customers. Offenders will be subject to legal and/or disciplinary action.**

All FCWB employees are provided with a copy of FCWB's Policy. A copy of each employee's written acknowledgement indicating that he or she understands and accepts the Policy shall be retained in the official personnel file.

**Sexual harassment is unlawful, and offenders will be subject to legal and/or disciplinary action.**

It is the policy of the FCWB that retaliation against an individual because such person has, in good faith, opposed any offense involving a violation of this policy; made a charge; or testified, assisted or participated in any manner in an investigation, proceeding, or hearing involving an alleged violation of this policy shall be prohibited. An individual who feels he or she has been subjected to retaliatory action following the filing of a sexual harassment allegation may file a retaliation complaint with the FCWB Equal Opportunity Officer. Additionally, retaliation complaints may be filed with the Florida Commission on Human Relations (FCHR).

FCWB also recognizes that false accusations of sexual harassment can have serious effects on innocent individuals. Any associate who knowingly files a false complaint of sexual harassment against another FCWB employee shall be subject to appropriate disciplinary action

### **COMPLAINT PROCESS**

Verbal and written inquiries and complaints of violations of this policy are addressed immediately and fairly by the Equal Opportunity Officer. Anonymous complaints which cannot be verified or clarified may not be accepted for formal investigation.

**In order for a formal investigation to be conducted, the complaint must be received in writing, signed by the complainant, and provide the information set forth in Rule 60L-36.004 (3), F.A.C, specifically:**

- (a) The name, business address, and telephone number of the person filing the complaint;

- (b) The name of the person who allegedly committed the act of sexual harassment and the alleged victim; and
- (c) A clear and concise statement of the facts, including pertinent dates, locations, witnesses and other evidence in support of the complaint.

Individuals who do not wish to file a complaint with the FCWB EEO may have the option of filing with the U. S. Equal Employment Opportunity Commission (EEOC) or the FCHR regarding employment discrimination. If the allegation of discrimination involves a program or activity of the Agency that receives federal financial assistance under the Workforce Innovation Act of 1998 (WIA), the individual may file a complaint with the Civil Rights Center of the U.S. Department of Labor (CRC) in Washington, D.C. Contact information for EEOC, FCHR or CRC is available from the OCR by phone or by e-mail. The filing of a complaint pursuant to agency procedure, regardless of disposition, shall not preclude an individual from also filing a complaint with the FCHR, EEOC or CRC.

## **RESPONSIBILITIES**

**Staff and employees:** All staff and employees should ensure that they do not take part in any form of sexual harassment, keeping in mind that any employee who is determined by an impartial investigation to have harassed another individual is subject to legal action, and to appropriate disciplinary action up to and including termination. Any individual who believes that he or she was sexually harassed by a FCWB employee or an employee of a subcontractor of FCWB is strongly encouraged to inform the appropriate supervisor or an EO Designee immediately, and use the formal discrimination complaint procedures as needed.

**Managers and Supervisors:** Each FCWB manager and supervisor is responsible for ensuring that all employees are aware of this policy. Any manager or supervisor who has knowledge of or has been advised of allegations of sexual harassment must immediately report the matter directly to an EO Designee. A supervisor or manager who fails to properly report a possible violation of this policy is subject to disciplinary action in accordance with Rule 60L-36.004(8), F.A.C. Based on the judgment of the manager or supervisor, in consultation with an EO Designee, FCWB may take temporary measures appropriate to the circumstances, until the investigation is completed. Such measures may include, but are not limited to: placing employees on administrative leave, and reassigning employee duties or offices.

**Third Parties including contractors, providers & customers:** If an investigation reveals that a non-employee has subjected an employee of FCWB to sexual harassment in the workplace, an EO Designee will inform the individual

of the company's sexual harassment policy and initiate other appropriate action in an effort to ensure that the conduct is not repeated.

**Florida Crown Workforce Board:** The FCWB encourages any employee to raise questions regarding sexual harassment or sex discrimination with an EO Designee. Given the nature of this type of discrimination, the FCWB recognizes that any question of whether a particular action or incident is of a personal, social nature without a discriminatory employment effect requires a factual determination based on all of the circumstances. The EO Officer will promptly investigate allegations of possible violations. The EO Officer is also available to provide technical assistance, advice and training on the Agency's sexual harassment policy upon request.

### **INQUIRIES**

Questions regarding this policy should be directed to:

Our Company Equal Opportunity Officer:

**Jeannie Carr**

1389 US Hwy. 90 West, Suite 170

Lake City, FL 32055

(386) 755-9026

### **ACTION**

All FCWB employees, contractors and providers will adhere to this policy.

Approved: *John Chastain*  
John Chastain, Executive Director