

Mississippi Department of Finance & Administration

Anti-Harassment Policy

July 1, 2001

I Statement of Policy

The Mississippi Department of Finance & Administration is dedicated to providing the best possible services to its customers. To fully realize this goal, the Department of Finance & Administration is committed to ensuring that its employees are provided with a work environment of professionalism, free from adverse working conditions and any forms of harassment. The Department of Finance & Administration is committed to assuring that job-related actions including hiring, promotions, and pay raises are based on education, experience, and job performance.

The Department of Finance & Administration expects all employees to perform their duties in a professional, businesslike manner with particular consideration for the well-being of colleagues, customers, guests, vendors and the public. To implement this philosophy, the Department of Finance & Administration makes a firm statement prohibiting any form of harassment. Moreover, the Department of Finance & Administration makes a firm commitment to swiftly and effectively address all known conditions of harassment in the workplace.

II Scope of Policy in General

The Department of Finance & Administration prohibits any harassment with regard to race, creed, color, age, religion, sex, national origin, or disability. This prohibition includes, but is not limited to remarks, gestures, physical contact, display or circulation of written or electronic materials, pictures or objects derogatory to any persons based on the characteristics listed above. Employees are instructed that they need not endure harassment on any of the bases listed above and are encouraged to bring to the attention of management any such instances which are found by the employee to be offensive. In addition, the Department of Finance & Administration prohibits its employees from engaging in harassment or discrimination where directed at or involving third parties with whom the employee comes into business-related contact. All Department of Finance & Administration employees are expected to treat each other and our customers with dignity and respect.

The Department of Finance & Administration makes a firm commitment to address all complaints of harassment and to promptly and effectively remedy any complaints found to have merit.

III Sexual Harassment Policy

The policy of the Department of Finance & Administration is that employees are able to work in an environment free from all forms of discrimination, including sexual harassment. The Department of Finance & Administration strictly prohibits any form of sexual harassment and pledges to swiftly and fully address each complaint under this policy.

Sexual harassment is a form of misconduct which undermines the integrity of the workplace. No employee - either male or female - should be subjected to unsolicited and unwelcome sexual overtures of conduct, either verbal or physical. Sexual harassment is prohibited between members of the opposite sex or between members of the same sex.

Sexual harassment is prohibited at all levels of this organization, whether between employees who are of the same level or between employees and supervisors. Such conduct is particularly destructive when the offending employee is in a supervisory position and the Department of Finance & Administration's supervisors are strictly prohibited from using their supervisory role in a harassing manner.

Sexual harassment is a behavior of a sexual nature, which is personally offensive, which debilitates morale, which tends to devalue a person, and thus may interfere with the person's work effectiveness, which tends to devalue a person, and thus may interfere with the person's work effectiveness. Sexual harassment does not refer to occasional compliments of a socially appropriate nature.

Specifically, sexual harassment may include, but is not limited to the following:

- Repeated offensive sexual flirtations;
- Repeated requests for dates;
- Advances or proposals;
- Verbal abuse of a sexual nature;
- Graphic or degrading comments about appearance;
- Display of sexually suggestive objects, pictures, or images;
- Offensive or degrading cartoons or jokes;
- Offensive or degrading e-mails or electronic images.

In addition, no person should imply, suggest, or threaten that an applicant or employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition of employment.

III Prohibition Against Retaliation

The Department of Finance & Administration specifically prohibits any and all retaliatory acts or statements against persons who utilize the Complaint Procedure for bringing harassment complaints to the attention of management. Similarly, the Department of Finance & Administration prohibits retaliation against witnesses or any other employees who might be called on to participate in investigations of complaints.

IV Complaint Procedures (This procedure supplements Sec. 10.0, Mississippi State Employee Handbook)

Complaints of harassment will be given high priority status and investigated promptly. Any person who believes that he or she has been harassed in violation of this policy should proceed in the following manner.

- A Initial Complaint** The complaining party may file a grievance with his or her supervisor. If the accused party is the complaining party's supervisor, the complaining party may skip a level of management by filing a grievance with the accused supervisor's supervisor. In lieu of the above, the complaining party may file a grievance with the Personnel Director, the Deputy Director, or the Executive Director.
- B Confidentiality** Complaints will be handled in strict confidence whenever possible. The necessity of a thorough investigation, however, may make complete confidentiality impossible. The Department of Finance & Administration will release information only when necessary and on a "need to know" basis.
- C Evidence** The complaining party is encouraged to maintain and deliver to management any and all evidence of harassment, including diary entries and notes of dates, times and locations of conduct as well as names of witnesses to each instance of harassment.
- D Investigation and Due Process** The Department of Finance & Administration is committed to conducting a prompt, thorough and fair investigation of each and every complaint of harassment. Care will be taken to ensure the due process rights of the accused and the interests of all parties to the complaint.
- E Duty to Participate in Investigation** Employees with knowledge concerning complaints of harassment or discrimination have a duty to participate in investigations by providing complete and timely information. Withholding information or failing to cooperate in a good faith manner will be considered a disciplinary infraction and may result in disciplinary action.

V Informal Redress of Complaints

In addition to the complaint procedure referenced above, employees are encouraged, where feasible, to communicate directly with one another to assure the prompt discontinuation of behavior found offensive. The Department of Finance & Administration respects and supports the right of each employee to communicate directly with other employees to request that any offensive conduct be discontinued. However, informal redress of complaints is not required and a complaining party may proceed to file a formal complaint in any situation in which informal redress is not feasible or desirable.

VI Sanctions for Violations

Violations of this policy will be addressed in a manner pursuant to the “Mississippi State Employee Handbook” disciplinary provisions. Violators will be subject to discipline, up to and including employment termination.

Acknowledgment of Receipt

cc: Personnel File