

CCSD policy regarding harassment (excerpts)

The Camptonville Community Services District [which owns and operates the Camptonville Community Center], including all directors, departments, employees and volunteers, has a policy of ZERO TOLERANCE for any act of harassment and for any act of reprisal associated with a harassment complaint. All volunteers are required to report all or any abuse to the department, and ultimately the District. You may file a verbal or written complaint without fear of reprisal.

The Camptonville Community Services District has a policy of zero tolerance for any failure to act in accordance with this policy or for any act of retaliation on the part of district officers, department heads, supervisors, employees and/or volunteers.

For Potential Victims: *If someone is behaving in a way that makes you uncomfortable, ask them to stop. If they persist, ask again - firmly. If they persist still, leave the area and make a complaint to a superior. If the offender offers to trade anything in exchange for cessation, make a complaint to a superior. If they threaten you, leave and make a complaint to a superior. If they are your superior, find their superior and make a complaint. If you make a complaint and nothing happens, call (800) 884-1684.*

For Potential Witnesses: *If you witness - or are told about - someone making someone else uncomfortable, act in a civil manner to separate the parties and speak with each party alone. Assure the victim that such behavior is not acceptable and encourage the victim to let you know if this continues. Inform the offender that what was done is not acceptable and encourage the offender to cease the behavior. Do not threaten. If the behavior continues, make a complaint to a superior. It does not matter who the victim or who the offender works for, the behavior is not permitted on the premises.*

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SUMMARY OF PROHIBITED ACTS

Sexual Harassment: Sexual Harassment of any person is prohibited by law. The Fair Employment and Housing Act (FEHA) defines sexual harassment as harassment based on sex or of a sexual nature; gender harassment; and harassment based on pregnancy, childbirth, or related medical conditions. The definition of sexual harassment includes many forms of offensive behavior, including harassment of a person of the same gender as the harasser. The following is a partial list of types of sexual harassment:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Actual or threatened retaliation;
- Leering; making sexual gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Making or using derogatory comments, epithets, slurs, or jokes;
- Sexual comments including graphic comments about an individual's body; sexually degrading words used to describe an individual; or suggestive or obscene letters, notes, or invitations;
- Physical touching or assault, as well as impeding or blocking movements.

Harassment not only Sexual: Harassment of any person is prohibited by law. In conformance with state and federal law, "harassment" can be based on any inherent and improper characteristic. The California Supreme Court has ruled that "*conduct outside the scope of necessary job performance, conduct presumably engaged in for personal gratification, because of meanness or bigotry, or for other personal motives*" may constitute harassment. The following characteristics fall into this classification, but do know that EVERYBODY is protected from harassment:

- Race, Religion, National Origin;
- Disability, Age, Gender, or
- Sexual Orientation.

Abusive Conduct (AB2053): Abusive Conduct is now treated in the same manner as discrimination and harassment, and everyone is protected. The California legislature has defined "Abusive Conduct" as "conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive and unrelated to an employer's legitimate business interest". A single act is not considered abusive conduct; the act must rise to the level of severe and pervasive, such as:

- Repeated infliction of verbal abuse such as derogatory remarks, insults and epithets;
- Verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating;
- The gratuitous sabotage or undermining of a person's work performance.

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VICTIMS RIGHTS

Anyone may file any kind of complaint: Any individual who believes that they have been discriminated, sexually harassed, harassed or subject to abusive conduct may file a complaint with the Camptonville Community Services District. The complaint may be in any form, verbal, written or otherwise. Any person may file a complaint on behalf of any person, with or without their knowledge. For employees and volunteers, the complaint should be filed with immediate supervisors, or with a person of higher rank. Complaints may be made to any volunteer, employee, supervisor or director. You may also file a confidential complaint in writing by placing the complaint in a sealed envelope and dropping it into any district complaint box or by mailing it to:

Camptonville Community Services District
attn: Confidential: Board President Only
P.O. Box 327
Camptonville, CA 95922

Your complaint will be treated with the utmost confidentiality and will be opened by the Board President only and seen only by District Officers especially appointed to resolve your complaint. You will be informed of your rights, and the entire process of settlement will be explained to you.

You may also file a complaint of discrimination with DFEH within one year of the harassment. DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. Contact DFEH toll free at (800) 884-1684, TTY number at (800) 700-2320 or visit their web site at <http://www.dfeh.ca.gov>. You may also pursue the matter through a private lawsuit in civil court after a complaint has been filed with DFEH and a Right-to-Sue Notice has been issued.

All persons have protection against retaliation provided by Section 7287.8 of Title 2 of the California Code of Regulations for opposing the illegal discrimination and harassment practices prohibited by law and district policy, filing a complaint, or otherwise participating in an investigation, proceeding, or hearing conducted by the department or the DFEH Commission.

CCSD Harassment Complaint Procedure: The district and its personnel are required by law to take all reasonable steps to prevent Discrimination, Harassment and/or Abusive Conduct from occurring. It is the District's policy that all directors, department heads and any employee, volunteer or person serving on behalf of CCSD shall:

- Accept any and all complaints,
- Act promptly to halt the behavior, and
- Initiate the "CCSD Harassment Complaint Procedure" (See Below), and
- Implement the procedure to bypass specific supervisors/superiors if necessary.

Once a complaint is known, the process of resolving the incident follows a chain. The *victim* informs the *reporting party*, The *reporting party* notifies the *most appropriate supervisor*. The *most appropriate supervisor* notifies the *district board* and the *district board* oversees the remainder of the incident. The "victim" may or may not file a complaint, but the "reporting party" being the first CCSD employee to learn of the incident shall commence the Harassment Complaint Procedure:

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1. *Reporting Party*: Bring the complaint - be it verbal, written or simply witnessed - to the attention of the *most appropriate supervisor*. The "most appropriate" supervisor may or may not be your immediate supervisor, *depending on the circumstances*. Please use good judgement and discretion when choosing this person. This person should not be involved in the complaint and should in your view be fair and thorough in all acts. This may be someone within your department, or someone from another department who agrees to take the next steps.
2. *Most Appropriate Supervisor*: This person is responsible for writing what may be the first written record, documenting all information given by the *Reporting Party* and/or *Victim*. This written record shall then given to a member of the CCSD Board, preferably the board president followed by vice president, followed by any other director.
3. *Board Member*: This person becomes the defacto chair of the Board Review Panel. The board review panel shall include one other board member, selected by the chair, and the supervisor who brought the incident to the board. If the complaint came straight to the board, the review panel shall select a person from outside the board who can participate effectively on this panel.
4. *Review Panel*: The three-person review panel shall perform the following:
 - a) As soon as possible, notify the victim *and the reporting party* that the review panel has been formed and will be investigating the incident.
 - b) As soon as possible the Review Panel shall take interim and possibly temporary actions to ensure further offenses can not occur. The Review Panel has the full authority of CCSD to make such orders.
 - c) As soon as possible, before commencing a full investigation, notify the insurance company (Golden State Risk Management Authority, contact information easily found on the web at gsrma.org) of the incident and discuss the following subsequent steps, which may be amended by the insurance company:
 - Interview the victim and determine the nature of the incident, including the names of all persons involved, any witnesses, the time and dates of the events, where they occurred and what happened. Determine the overall history of events leading up to the one that caused the complaint to be filed.
 - Interview the named offender(s) and record the same information.
 - Report back to the insurance company. Record the recommendations of the insurance company and its human resource people in the report. The review panel shall consider all of the recommendations of the insurance company and its agents, conduct any further investigations, perform any follow-up acts requested by the insurance company and review any further recommendations given. The insurance company shall advise the panel on who and to what extent persons can be informed of the panel's final actions, including the victim, the offender, the reporting party and any other parties including the overall board.
 - The review panel shall then form a final plan of action and shall select persons to implement these acts, and see to it that the actions have been taken.
 - A final report shall be prepared, including a report on what happened after the panels action plan was implemented, and this report shall be filed in a confidential file and submitted to the insurance company for their use.