



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**DEPARTMENT WIDE**

REVISION DATE  
1/20/16

PAGE NUMBER  
1 of 5

NUMBER  
**DOC 850.625**

**POLICY**

TITLE  
**SEXUAL HARASSMENT**

**REVIEW/REVISION HISTORY:**

- Effective: 7/1/83 DOC 853.025
- Revised: 2/24/92
- Revised: 2/15/01 DOC 850.625
- Revised: 12/20/06
- Revised: 1/13/09
- Revised: 6/7/10
- Revised: 11/12/12
- Revised: 1/20/16

**SUMMARY OF REVISION/REVIEW:**


Policy I. - Removed unnecessary language  
I.A. - Added language defining sexual harassment  
III.A. and IV. - Adjusted language for clarification

**APPROVED:**

Signature on file

\_\_\_\_\_  
**DAN PACHOLKE**, Secretary  
Department of Corrections

12/15/15  
\_\_\_\_\_  
Date Signed

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**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 49.60](#); [Governor's Executive Order 89-01](#); [ACA 4-4056](#); [ACA 7E-04](#); [DOC 810.005 Diversity/Inclusion/Non-Discrimination](#); [DOC 850.010 Administrative Investigations](#); Collective Bargaining Agreements; Equal Rights Amendment of 1972; Title VII of the Civil Rights Act of 1964; Washington State Human Rights Commission/Equal Employment Opportunity Commission Sex Discrimination Guidelines

**POLICY:**

- I. Sexual harassment is an unlawful employment practice prohibited under RCW 49.60 and Title VII of the Civil Rights Act of 1964.
- II. [4-4056] [7E-04] The Department strives to provide a work environment free from unsolicited, unwelcome, and inappropriate behavior, and will not tolerate sexual harassment of any kind.
- III. [7E-04] The Department has established guidelines for reporting sexual harassment complaints, and will ensure that all employees, contract staff, and volunteers are protected and provided relief from any form of sexual harassment in the workplace.
- IV. [4-4056] [7E-04] The Department will promptly investigate allegations of sexual harassment and, where substantiated, will take appropriate corrective or disciplinary action(s), up to and including dismissal.

**DIRECTIVE:**

- I. General Requirements
  - A. Employees, contract staff, and volunteers will not engage in any form of sexual harassment. Sexual harassment is unwelcomed advances, requests for sexual favors, and verbal or physical conduct when:
    1. Submission to such conduct is a term or condition of employment, or
    2. Submission or rejection of such conduct is the basis for employment decisions, or
    3. Such conduct has the purpose or effect of:
      - a. Creating an intimidating, hostile or offensive working environment, or
      - b. Interfering with work performance.
- II. [7E-04] Reporting

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<b>POLICY</b>			


- A. Employees, contract staff, and volunteers who observe or are subjected to sexual harassment may:
  - 1. Directly identify the behavior to the harasser and demand that it stop immediately.
  - 2. Notify their supervisor immediately of the offensive behavior.
  - 3. Contact the Appointing Authority, a Human Resources Consultant, and/or the Workplace Diversity Section of the offensive behavior, or request their supervisor do so on their behalf.
- B. All employees, contract staff, and volunteers have the right to file DOC 03-065 Internal Discrimination/Sexual Harassment Complaint with the Department's Workplace Diversity Section. The form will be available on iDOC or through the Workplace Diversity Section or local Human Resources Office. Complaints of sexual harassment will be investigated, whether the complaint is written or verbal.
- C. Employees, contract staff, and volunteers may file a complaint with the Washington State Human Rights Commission/Equal Employment Opportunity Commission per RCW 49.60 and Title VII of the Civil Rights Act of 1964.
- D. Staff Psychologists are available to support employees, contract staff, and volunteers who believe they have been subjected to sexual harassment.

### III. Supervisor Responsibilities

- A. Supervisors have a duty to promote a safe and healthy work environment and to prevent sexual harassment from occurring in the workplace. When a supervisor is informed of alleged sexual harassment, s/he will promptly notify Workplace Diversity, local Human Resources, and/or the Appointing Authority.
- B. Supervisors must maintain confidentiality of the alleged sexual harassment to the extent possible.
- C. Supervisors who fail to take prompt and immediate steps to prevent and/or report sexual harassment, or an act of retaliation as a result of reporting sexual harassment, will be subject to appropriate corrective or disciplinary action.

### IV. Appointing Authority Responsibilities

- A. When an Appointing Authority becomes aware of alleged sexual harassment, s/he will determine the appropriate level of investigation after contacting the local Human Resources Office or Workplace Diversity Section for guidance and

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assistance. Sexual harassment complaints will be investigated in an appropriate and timely manner.

1. The investigator will encourage employees, contract staff, and volunteers to cooperate in the investigation and maintain confidentiality to the extent possible.
2. An investigation of sexual harassment allegations will include interviews with the involved parties, and where necessary, any employees, contract staff, and volunteers who may have observed or have pertinent knowledge of the alleged harassment, or who may share similar experiences to the complainant's situation. The filing of an initial complaint and subsequent investigation will be confidential to the extent possible.

#### V. Sexual Harassment or Retaliation Findings

- A. Retaliation against any complainant or any employee, contract staff, or volunteer who participates in allegations or investigations is prohibited.
- B. If an investigative finding supports that an employee has engaged in sexual harassment or retaliation, management will initiate appropriate corrective/disciplinary action, up to and including dismissal. Documentation will be placed in the retaliator's personnel/contract/volunteer file.


#### VI. Education and Training

- A. [7E-04] The Department will include sexual harassment training in New Employee Orientation and Correctional Worker Core. Employees, contract staff, and volunteers will also attend formal/periodic training updates.
  1. All training participants will receive a copy of this policy and sign DOC 03-448 Training Acknowledgment - Unlawful and Sexual Harassment.
- B. Employees, contract staff, and volunteers may refer to Behaviors in the Workplace (Attachment 1), Sexual Harassment Identification and Response (Attachment 2), and Subtle Inappropriate Behavior (Attachment 3), for additional information.

#### **DEFINITIONS:**

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

#### **ATTACHMENTS:**

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[Behaviors in the Workplace \(Attachment 1\)](#)

[Sexual Harassment Identification and Response \(Attachment 2\)](#)

[Subtle Inappropriate Behavior \(Attachment 3\)](#)

**DOC FORMS:**

[DOC 03-065 Internal Discrimination/Sexual Harassment Complaint](#)

[DOC 03-448 Training Acknowledgment - Unlawful and Sexual Harassment](#)