

# CITY OF ANDERSON POLICE DEPARTMENT

## Anderson, South Carolina

<b>DIRECTIVE TYPE</b> General Order	<b>EFFECTIVE DATE</b> March 20, 2006	<b>NUMBER</b> 904
<b>SUBJECT</b> Sexual Harassment		
<b>REVISED</b>		
<b>REFERENCE</b> SCLEA 9.1.4 and City of Anderson PP&P Manual VI-122	<b>AMENDS/SUPERSEDES</b> All Others	
<b>DISTRIBUTION</b> All Personnel	<b>RE-EVALUATION DATE</b> Annual	<b>NO. PAGES</b> 4

**A. Purpose**

To prohibit sexual harassment and tolerance of sexual harassment in the work environment.

**B. Policy**

It is the policy of the City of Anderson that the work environment and city employees will be free of sexual harassment, and that all individuals will be treated with respect and dignity at all times. This policy will apply to all officers and employees of the City of Anderson Police Department and is in conformance with the City of Anderson personnel policy regarding Anti-Harassment as outlined in the City of Anderson Employee Handbook under the section titled "Harassment". The City of Anderson's Personnel Policy and Procedure manual governs the City's policy prohibiting sexual harassment. That policy is found in VI-122.

**C. Procedure**

1. Sexual Harassment is Prohibited

- a. Sexual harassment by police officers or other members of the police department, while acting in their official capacity, toward any member of the public or any City of Anderson employee or official is prohibited. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors,

sexually motivated physical contact, and other verbal, visual or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting that individual's employment;
- (3) Such conduct has a purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**D. Prohibited Behaviors:**

1. Behaviors which may constitute sexual harassment include, but are not limited to:
  - a. **Verbal harassment** (e.g., epithets, derogatory remarks, or slurs);
  - b. **Physical harassment** (e.g., touching gestures, assault, impeding or blocking movement, or any physical interference with normal work or movement);
  - c. **Visual forms of harassment** (derogatory posters, letters, poems, graffiti, cartoons, or drawings); and
  - d. **Requests for sexual favors or unwelcome sexual advances.**

**E. Reporting Incidents of Sexual Harassment**

1. Whenever any employee or applicant feels he or she is being subjected to sexual harassment in any form, or who believes he or she has witnessed sexual harassment in any form may immediately report the incident as stated below:
  - a. In the event an applicant for employment believes he/she is a victim of sexual harassment, the applicant may file a complaint with the City Personnel manager within thirty days after the date upon which the alleged act of sexual harassment occurred.
  - b. In the event an employee believes that he/she is a victim of sexual harassment, the employee may file a complaint with the Chief of Police, Personnel Manager, and the City Manager within thirty days after the date upon which the alleged act of sexual harassment occurred; provided however, if the allegation is against the Chief of Police, the complaint will be filed with the City Manager.

**F. Permission to Go Outside the Chain of Command**

1. When the person who is the subject of a complaint is a supervisor, the employee may go outside the chain of command and report the incident to any other public agency or authority.

**G. Confidentiality**

1. Due to the sensitive nature of allegations of sexual harassment, to the extent possible, the investigation and all communication by city employees involved in the investigation shall be confidential, except for the accused to confront witnesses. No employee shall release any information concerning charges of sexual harassment to other employees, the news media, members of the family of the parties involved, or anyone else by any employee. Persons reporting sexual harassment will have their identity protected to the extent allowed by law.

**H. Investigation of Complaints**

1. Sexual harassment complaints will be investigated immediately. All police officers and employees must cooperate in any investigation of such a complaint. If the facts support the allegations, the perpetrator of the sexual harassment will be subject to prompt disciplinary action.
2. Upon receipt of a sexual harassment complaint, the Chief of Police will forward it immediately to the Personnel Manager and the City Manager, along with all information that the Chief has concerning the allegations. The Personnel Manager and/or the Personnel Manager's Designee, immediately upon receipt of the complaint, shall conduct an investigation as he/she may deem appropriate to determine the true facts surrounding the allegations, including but not limited to, interviews with the complainant and those about whom the complaints have been made, interviews with witnesses, and review of personnel files.
3. The results of the investigation will be submitted to the Chief of Police in writing, who will then review the findings with the Personnel Manager and City Manager for possible disciplinary action.
4. In the event a complaint is alleged against the Chief of Police, the Personnel Manager and the City Manager or their designee(s) will conduct the investigation. If the complaint is against the Personnel Manager or the City Manager, the Chief of Police shall conduct the investigation along with the remaining unaffected party. This paragraph applies only to complaints originating from City of Anderson Police Department personnel.
5. Copies of the proceedings, regardless of the findings, shall be maintained in the personnel file of the employees affected by the findings.

**I. False Complaints and Statements**

1. Persons who file and who are the subjects of investigations of sexual harassment are required to be truthful.
2. Any person found to have made a false complaint of sexual harassment or found to have given knowingly false information during an investigation of such a complaint will be subject to disciplinary action.

By order of:

  
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Martin D. Brown, Chief of Police

4-6-2016  
Date