



# Alexandria Police Department

## Directive 2.5



# Harassment in the Workplace

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### CONTENTS

- 2.5.01 PURPOSE AND POLICY
- 2.5.02 DEFINITIONS
- 2.5.03 RESPONSIBILITIES
- 2.5.04 COMPLAINT PROCEDURES

<b>2.5.01 PURPOSE AND POLICY</b>	<b>[26.1.3]</b>
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The Alexandria Police Department shall provide a work environment for its employees that respects the diversity of our community, is free from discrimination and harassment, and promotes equal employment opportunity and equitable treatment for all Department employees.

Harassment because of a person's race, color, religion, creed, gender, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, or that of their relatives, friends, or associates is considered by the Department to be employment discrimination. Such harassment violates City, State, or Federal laws. The Department will not tolerate any form of harassment.

The Department intends to take positive action to prevent the occurrence of harassment in the workplace. The Department encourages employees to come forward with their concerns and complaints about prohibited workplace harassment. The Department will take immediate action to investigate complaints of alleged harassment. Retaliation against any individual for making a complaint of harassment or cooperating in a harassment investigation is prohibited. Any person who engages in prohibited harassment or retaliation will be subject to appropriate disciplinary action, up to and including termination.

**2.5.02 DEFINITIONS**

**Harassment:** Verbal or physical conduct toward an individual because of their race, color, religion, creed, gender, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, or that of their relatives, friends, or associates, that:

1. Has the purpose or effect of creating a hostile, intimidating, or offensive work environment,
2. Has the purpose or effect of unreasonably interfering with an individual's work performance, or
3. Otherwise adversely affects an individual's employment and/or promotional opportunities.

**Harassing conduct:** includes, but is not limited to:

1. Epithets, slurs, or other verbal action that involves negative stereotyping, including use of language or accents;
2. Threatening, intimidating, or hostile acts that relate to race, color, religion, creed, gender, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology; and
3. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, creed, color, religion, gender, ancestry, sexual orientation, national origin, age, disability, marital status, or political ideology, and that is placed, posted or distributed on walls, bulletin boards, electronic bulletin boards, e- mail or elsewhere on the employer's premises, or circulated in the workplace.

**Harassment Complaint:** An oral or written complaint alleging harassing conduct or a pattern of harassing conduct by an employee, by any supervisor or management representative who suspects that harassing conduct may have occurred in the workplace.

**Retaliation:** Punitive action taken against an employee because the employee has complained about harassment, given a statement about harassment, or otherwise supported a harassment complaint. Retaliation may potentially include: transfers or discharges; changes in job duties, assignments, privileges, or performance evaluations; continuing or escalating harassing behavior after a coworker has objected to that behavior.

**Sexual harassment:** Unwelcome advances, requests for sexual favors, and other verbal, or physical conduct of a sexual nature made under circumstances that:

1. Imply that submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment,
2. Imply that submission to or rejection of such conduct by the targeted individual will be used as a basis for employment decisions affecting such individual, or
3. The conduct has the purpose or effect of unreasonably interfering with the targeted individual's work performance or of creating an intimidating, hostile, or offensive work environment. Sexual harassment may include, but is not limited to, sexual comments, innuendoes, displays or jokes; unwelcome invitations to sexual activity; and unwelcome touches, pinches, or hugs.

### 2.5.03 RESPONSIBILITIES

#### **A. Each employee:**

Each employee of the Department is responsible for assisting with the prevention of harassment through the following:

1. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
2. Reporting acts of harassment to an immediate supervisor or to some other supervisor in their chain of command. If reporting the harassment to an employee's supervisor is not practical or possible, i.e., if the supervisor is the alleged harasser, the employee may file a complaint with any commander, with the *Office of External Affairs and Professional Responsibility (OEAPR)*, the Chief of Police, or with the Director of the Human Rights Office; and
3. Encouraging any employee who confides that he/she is being harassed to report the incident(s).

#### **B. Supervisors and managers:**

Supervisors and managers shall assume responsibility for preventing harassment by:

1. Educating employees about harassment, and related Department and City policies;
2. Explaining procedures for resolving such problems;
3. Monitoring their commands for signs of harassment or prohibited activity;
4. Directing an immediate end of any perceived offensive behavior;

5. Taking appropriate intervention; and
6. Immediately initiating an inquiry when there is reason to believe that harassment may have occurred or may be occurring. **Any action taken in resolving an incident of harassing conduct shall be reported immediately to the Commander of *the Office of External Affairs and Professional Responsibility*.**

**When an employee reports an allegation of sexual harassment, a confidential investigation by *the Office of External Affairs and Professional Responsibility* shall begin immediately.**

**This mandate also applies to cases where an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint.**

**Failure to take action to stop a known act of harassment shall be grounds for discipline.**

**The Department has an affirmative obligation to investigate the existence of harassment in the workplace whenever it becomes aware of the possibility that harassment might be occurring. The chain of command of an employee who has been accused of harassment shall be responsible for providing assistance and cooperation whenever necessary during the course of an investigation.**

#### **2.5.04 COMPLAINT PROCEDURES**

- A. The employee should promptly file a complaint with their immediate supervisor. If the employee has a complaint against his or her supervisor, or if the employee is uncomfortable discussing the complaint with their supervisor, the employee may contact any police commander, the *Office of External Affairs and Professional Responsibility*, the Chief of Police, or the Director of the Human Rights Office.
- B. The employee's complaint of harassment should be in writing but may be oral. The complaint should include, when available, the following information: the date(s) incident(s) occurred, names of individuals involved, names of witnesses, and a description of the incident(s).
- C. Employees may, at any time, seek redress from an enforcement agency (Alexandria Human Rights Commission or the Equal Employment Opportunity Commission) or through a court of law.
- D. The Departmental investigation shall be completed no later than thirty (30) days from the receipt of the complaint or from the time that the supervisor became aware

that harassment might be occurring. The time limit for completing an investigation may be extended upon making a determination that additional time is necessary for a full and complete investigation of the complaint. Should the time limit be extended, the accused will be immediately notified in writing with a courtesy copy sent to the complaining employee. Accurate and detailed records of the investigation shall be maintained in a confidential file. A written summary of the allegations and findings of the investigation shall be provided to the complainant and to the alleged harasser.

- E. Supervisors/managers shall maintain the confidentiality of a harassment complaint to the extent that it does not hinder the investigation or resolution of the complaint and is permitted under law.
- F. All records of complaints and their resolution shall be maintained in *the Office of External Affairs and Professional Responsibility*.
- G. False accusations of workplace harassment are viewed to be as severe a form of misconduct as harassment itself. Fabrications or false statements made in such cases will be thoroughly investigated and, if sustained, will be met with severe disciplinary action.

**BY AUTHORITY OF:**

**Michael L. Brown**  
**Chief of Police**