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The Port of South Louisiana
P.O. Box AE
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POLICY: SEXUAL AND UNLAWFUL HARASSMENT

POLICY#: 703

EFFECTIVE: MAY 1, 2020

Policy:

This policy will apply to all employees of the Port of South Louisiana, hereafter referred to as "the Port" or "Port."

Mandatory Sexual Harassment Training:

Pursuant to Louisiana Revised Statute 42:343, each elected official and each public servant is required to receive a minimum of one hour of education and training on preventing sexual harassment during each year of his public employment or term of office, as the case may be. Additionally, the Port will comply with the State laws of the mandatory reporting of those who have and have not completed their training per year (R.S. 42:344).

Port of South Louisiana Sexual Harassment Policy:

All employees of the Port of South Louisiana shall comply with Louisiana State Law in regard to Sexual Harassment, specifically, R.S. 42:342. This includes both reporting any sexual harassment and actions that can and cannot be taken against those to be reported and those reporting the actions in question.

It is the belief of the Port of South Louisiana that its employees are the primary means by which the goals and objectives of the Port will be met. All employees of the Port must understand its position on harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when the conduct explicitly or implicitly affects an individual's employment or the holding of office, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment and discrimination in the workplace are prohibited by federal law through the Civil Rights Act of 1964 and by state law through La. R.S. 23:30I et seq. These laws prohibit

both quid pro quo harassment, which arises when consent to sexual demands is made an express or implied condition of employment, and hostile work environment harassment, which arises when the workplace is permeated with discriminatory intimidation, ridicule, or insult that is sufficiently severe or pervasive, to alter the conditions of the victim's employment and created an abusive working environment.

Sexual harassment may be defined as unsolicited, offensive behavior that inappropriately asserts sexuality over employees including but not limited to the following

Verbal: Sexual innuendos, suggestive comments, threats, sexual humor

Non-Verbal: Leering, whistling, obscene gestures, showing inappropriate images

Physical: Touching, brushing the body, coerced sexual activity, assault, impeding egress or passage

Sexual harassment and discrimination in the workplace shall not be tolerated and the Port of South Louisiana will take appropriate action to end any such harassment and/or prevent the recurrence of any such misconduct.

If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behavior is inappropriate, and that the employee would like it stopped.

Any employee of the Port of South Louisiana may file a complaint of sexual harassment. Any employee who believes he or she has been subjected to unlawful sexual harassment or has been retaliated against for reporting such activities or assisting in a related investigation of such activities, must report the alleged act immediately or as soon as possible to the Human Resources Department.

Whether or not a particular incident is sexual harassment requires a complete factual investigation, and the Human Resources Department will conduct such investigations on all complaints in a manner so as not to cause any serious effect on innocent employees who either file a complaint and/or may be the subject of a filed complaint. In all instances, a prompt and thorough investigation will take place, giving careful consideration to protect the rights and dignity of all persons involved.

It is mandatory that all parties to an allegation of sexual harassment participate in the investigation of the incident, and cooperation in the investigation of claims of harassment is an express element of each employee's employment with the Port. The Port will take those steps it feels necessary to resolve the problem, which may include verbal or written reprimand, suspension, or termination.

The Port will investigate by gathering information, in as confidential a manner as possible, given the need to investigate the complaint, from all concerned parties, and it will not retaliate against any employee as a result of reports of alleged harassment or cooperation with any investigation. The Port may consult its legal representative for assistance in determining whether conduct that has occurred does in fact constitute sexual harassment. The Port may also make subsequent inquiries from time to time to ensure offensive conduct does not resume and/or that the subject of harassment has not suffered any retaliation.

No retaliation of any kind will be tolerated because an employee in good faith reports an incident of suspected harassment. The supervisor, or other person to whom the complaint was made, will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any sexual harassment complaint.

Any employee, manager, or supervisor found by the Port to have unlawfully sexually harassed, or unlawfully retaliated, against another employee will be subject to appropriate discipline, up to and including termination. If any employee, manager, or supervisor is found by the Port to have intentionally made a false allegation of sexual harassment, that individual will be subject to appropriate discipline, up to and including termination.

Regardless of the outcome of the investigation by the Port of South Louisiana, a complainant may pursue a claim under state and/or federal law.