

## **7143      SEXUAL HARASSMENT**

- 7143.1    The Authority strongly opposes sexual harassment in the workplace and has established reporting procedures for complainants. Sexual harassment of employees or residents, whether verbal, physical or graphic is unacceptable and will not be tolerated. Supervisors must take action when apprised of questionable social-sexual activity in the workplace by counseling the person exhibiting the behavior.
- 7143.2    Sexual harassment is a form of sex discrimination, and is an unlawful employment practice under Title VII of the Civil Rights Act of 1964.
- 7143.3    Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- (a)       Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
  - (b)       Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting such employee; or
  - (c)       Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating hostile or offensive working environment.
- 7143.4    Sexual harassment may include, but is not limited to, verbal conduct with sexual overtones, subtle pressure for sexual activity, patting or pinching, brushing against another employee's body, and demands for sexual favors.
- 7143.5    The Executive Director or his or her designee is the deciding official in the sexual harassment complaint process. The Executive Director or his or her designee shall investigate all formal complaints of sexual harassment.
- 7143.6    Employees who experience sexual harassment should immediately notify their immediate supervisor. Employees who are not comfortable reporting incidents of sexual harassment to the immediate supervisor may notify the Department Director, Executive Director or his or her designee.
- 7143.7    All verbal reports of sexual harassment shall be reduced to writing by either the complainant or the individual(s) designated to receive complaints, and be signed by the complainant.
- 7143.8    All information regarding a complaint is confidential. The complainant will determine the mode of correspondence related to the complaint.
- 7143.9    No complainant shall be harassed, discharged, or retaliated against for filing a sexual

harassment complaint.

7143.10 The Authority encourages prompt reporting of complaints.

7143.11 A finding supporting the sexual harassment allegation will result in disciplinary action.

7143.12 The complainant may file a complaint with the District of Columbia Office of Human Rights or the U.S. Equal Employment Opportunity Commission.

SOURCE: Notice of Final Rulemaking published at 42 DCR 6914, 6939-6940 (December 8, 1995).