



## Policy and Procedure

**POLICY #3140** Anti-Harassment & Discrimination

**EFFECTIVE DATE** 9/24/2026

**VERSION # 4**

### APPLIES TO

|              |                 |
|--------------|-----------------|
| Division     | Districtwide    |
| Sub-Division | Human Resources |

| VERSION | REVISION DATE | DESCRIPTION OF CHANGE/SUPERSEDE              | AUTHOR                        |
|---------|---------------|----------------------------------------------|-------------------------------|
| 1       | 3/10/1994     | Established                                  | Human Resources               |
| 2       | 5/15/2008     | Revision for legal compliance                | Legal Counsel                 |
| 3       | 3/26/2026     | Updating and removing from Employee Handbook | Strategic Initiatives Manager |
| 4       | 9/24/2026     | Revision to include Abusive Conduct          | Strategic Initiatives Manager |

### RATIONALE

The District will not permit any form of harassment in the workplace. All employees, prospective employees, customers, vendors, and other visitors deserve respect and dignity. Harassment based on any individual's race, religion, gender, gender identification, sexual orientation, national origin, age, disability, or other protected characteristics will not be tolerated. This policy applies to all employees, applicants, interns, volunteers, contractors, vendors, members of the Board of Directors, and any person providing services pursuant to a contract.

### TERMS AND DEFINITIONS

| TERM                                                | DEFINITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legally Protected Category or Characteristic</b> | <p>It is unlawful under California law to harass, discriminate against, or retaliate against any individual based on the following protected characteristics:</p> <ul style="list-style-type: none"><li>• Race or religious creed</li><li>• Color</li><li>• National origin or ancestry</li><li>• Physical or mental disability</li><li>• Reproductive health decision making</li><li>• Medical condition or genetic information</li><li>• Marital status</li><li>• Sex, gender, gender identity, gender expression</li><li>• Age</li></ul> |

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|                          | <ul style="list-style-type: none"> <li>• Sexual orientation</li> <li>• Veteran or military status</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Discrimination</b>    | Discrimination includes adverse actions such as refusing to hire, promote, terminate, demote, or otherwise treat an individual unfavorably in terms, conditions, or privileges of employment because of a protected characteristic.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Abusive Conduct</b>   | Conduct of an employer or employee in the workplace, undertaken with malice, that a reasonable person would find hostile, offensive, and unrelated to the District's legitimate business interests. Abusive conduct may include, but is not limited to, repeated infliction of verbal abuse such as derogatory remarks, insults, or epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act shall not ordinarily constitute abusive conduct, unless especially severe and egregious.                                                                                                                                                                                                                                                                                                                                    |
| <b>Harassment</b>        | Harassment includes unwelcome conduct based on a protected characteristic that creates an intimidating, offensive, or hostile work environment or that interferes with work performance of any employee. Harassment may be verbal, visual, or physical. Harassing conduct can take many forms and includes, but is not limited to derogatory slurs, jokes, gestures, images, threats, intimidation, or unwanted sexual advances.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Sexual Harassment</b> | <p>Unwelcome sexual advances, requests for sexual favors, or other visual, verbal, or physical conduct of a sexual nature may all constitute sexual harassment when: (1) submission to such conduct is made a term or condition of employment, an unpaid internship, or volunteer program; or (2) submission to or rejection of such conduct is used as basis for employment decisions, or any decision relating to an unpaid internship or volunteer program, affecting the individual; or (3) 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.</p> <p>The following is a list of some, but not all, actions employees are to avoid that could be interpreted as sexual harassment:</p> <ul style="list-style-type: none"> <li>• Unwanted sexual advances.</li> <li>• Offering employment benefits in exchange for sexual favors.</li> </ul> |

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|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    | <ul style="list-style-type: none"><li>• Making or threatening reprisals after a negative response to sexual advances.</li><li>• Visual conduct, such as leering, making sexual gestures, display of sexually explicit jokes, comments about an employee's body or dress.</li><li>• Verbal sexual advances or propositions.</li><li>• Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes, or invitations.</li><li>• Physical conduct, such as touching, assault, impeding, or blocking movements.</li><li>• Retaliation for reporting harassment or threatening to report harassment.</li><li>• Electronic communications such as email, texts, or internet use that violate this policy.</li></ul> <p>Sexual harassment can occur between members of the same or opposite sex and need not be motivated by sexual desire or attraction. Sexual harassment may interfere with work performance or create an intimidating, hostile, or offensive work environment. Sexual harassment on the job is prohibited whether it involves co-worker harassment, harassment by a supervisor or manager, harassment by third parties doing business with or for the District, or members of the public visiting District parks or facilities.</p> |
| <b>Retaliation</b> | <p>Taking adverse action against any individual who: (a) opposes discriminatory or harassing conduct, (b) reports a complaint in good faith, or (c) participates in an investigation or hearing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

### Complaint Procedure

If an employee believes they have been subjected to, have witnessed, or suspect conduct that violates this policy, including harassment, discrimination, or retaliation, they should immediately report such conduct to Human Resources or any member of District leadership. Individuals who receive a complaint must immediately notify Human Resources.

Complaints should be specific and should include the names of the individuals involved and the names of any witnesses. The District will take all complaints seriously and will promptly and thoroughly investigate reported concerns in an effort to resolve the situation. Because concerns cannot be addressed if they are not reported, all workers are strongly encouraged and expected to report suspected violations of this policy, and to cooperate fully in any investigation.

### **Investigation of Complaints**

All complaints will be investigated in a timely, fair, thorough, and impartial manner by a qualified investigator. Investigations will be conducted promptly and completed within a reasonable timeframe. The District will reach reasonable conclusions based on the evidence collected and will take appropriate corrective or remedial action if a violation of this policy is found.

The Human Resources Director, or appropriate designee, if the circumstances warrant, will promptly undertake or direct an effective, thorough, and objective investigation of allegations of harassment, discrimination, or retaliation. Upon completion of the investigation, the District will determine whether this policy has been violated and will communicate the findings to the complaining party and the named individual(s) in the complaint, consistent with applicable confidentiality requirements.

During the course of an investigation, employees may be placed on administrative leave or may be subject to other interim measures, as appropriate, pending the completion of the investigation.

Retaliation against any individual for making a report, or for participating in an investigation, under this policy is strictly prohibited. Any employee who believes they have been subjected to retaliation should immediately report the conduct to their supervisor or to Human Resources.

Any employee found to have violated this policy will be subject to appropriate disciplinary action, up to and including termination of employment.

### **Intentional False Complaints**

While the District vigorously defends its employees' right to work in an environment free of discrimination, harassment, and retaliation it also recognizes that false accusations of discrimination, harassment, or retaliation can have serious consequences. Accordingly, any employee who knowingly files a false complaint or provides false information during a District investigation will be subject to disciplinary action, up to and including termination.

### **Anonymity and Confidentiality**

The District will accept and investigate anonymous complaints; however, employees are encouraged to identify themselves when making a complaint so that the District can conduct the most thorough and effective investigation possible. Anonymous complaints may limit the District's ability to obtain additional information or fully investigate the matter. If the identity of an anonymous complainant becomes known during the course of an investigation, the District cannot guarantee that the individual's identity will remain confidential if disclosure is necessary to conduct a thorough investigation or comply with applicable law.

The District will take all reasonable steps available to maintain the confidentiality of complaints of discrimination, harassment, or retaliation, as well as all information gathered during an investigation. Information will be kept confidential to the extent possible while allowing for a thorough investigation and in accordance with applicable law.

Employees involved in an investigation of discrimination, harassment, or retaliation are required and expected to maintain the confidentiality of information obtained during the investigation.

### **Additional Enforcement Information**

In addition to the District's internal complaint procedures, individuals have the right to file a complaint with the California Civil Rights Department (CRD) or the Equal Employment Opportunity Commission (EEOC).

### **Training and Policy Dissemination**

All employees who are hired by the District will be given a copy of this Policy and will receive guidance from the District on its provisions and the District's commitment to provide a workplace free from discrimination, harassment, and retaliation. All supervisory employees will receive at least two (2) hours of harassment prevention training every two years, and all non-supervisory employees will receive at least one (1) hour of harassment prevention training every two years, in accordance with Government Code section 12950.1 and applicable regulations. This training shall include education and training on the prevention of abusive conduct, as well as training inclusive of harassment based on gender identity, gender expression, and sexual orientation as required by Government Code section 12950.1.

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**Authority:** General Manager; Board of Directors; Government Code 12940-50

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Approved by the Board of Directors on **September 24, 2026**