

Coos County Filing Cover Sheet

10/13/2020 10:46:00 AM

TO: Coos County Clerk's Office

FROM: County Counsel

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| BoPTA | R=6Y | | Registry of Offices | R=6YAE |
| Contracts & Agreements | R=P | | Special District Budget | R=P |
| County Budget | R=P | | Special District <small>Formations, Annexations, Dissolutions, Election Results</small> | R=P |
| County Code | R=P | | Vacation Proceedings | R=P |
| Minutes - BOC | R=P | | R=Retention P=Permanent Y=Year AE=After Expiration | |

INDEXING INFORMATION

Affected Parties Names:

Coos County Board of Commissioners

Subject of Document : Brief description, minutes, contracts, orders, etc.

Coos County Workplace Harassment and Bullying Policy

Resolution or Order #: Example: 18-2-156-X

20-10-196L

Document Remarks:

Workplace Harassment and Bullying Policy for Coos County effective 10/1/2020

Date of Meeting or of Document: "Date Only"

October 6, 2020

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1 BOARD OF COMMISSIONERS

2 COUNTY OF COOS/STATE OF OREGON

3 In the Matter of Approving the Coos County) R E S O L U T I O N
4 Workplace Harassment and Bullying Policy) 20-10-196 L
5 Effective October 1, 2020)

6 THIS MATTER HAVING COME BEFORE the Board of Commissioners at a regular
7 meeting held October 6, 2020; and

8 WHEREAS, Senate Bill 479, Oregon's Workplace Protection Act, requires
9 employers to establish and adopt written policies seeking to prevent workplace
10 harassment and bullying; and

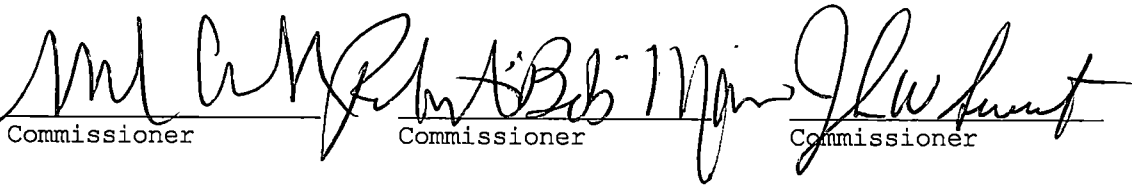
11 WHEREAS, provisions in Senate Bill 479 require the County to update its
12 current policies on harassment and bullying;

13 THEREFORE, BE IT RESOLVED adopting the Coos County Workplace Harassment
14 and Bullying Policy, Effective October 1, 2020.

15 BE IT FURTHER RESOLVED designating the County's Human Resources
16 Department and Office of Legal Counsel County Counsel as the responsible
17 entities for handling reports of prohibited conduct.

18 DATED THIS 6th day of October, 2020.

19 BOARD OF COMMISSIONERS

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21 
22 Commissioner Commissioner Commissioner

COOS COUNTY

WORKPLACE HARASSMENT AND BULLYING POLICY

Effective October 1, 2020

COOS COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

This Policy applies to Coos County employees, volunteers, consultants, contractors, interns, and public officials.

Coos County is committed to maintaining a positive, professional work environment free from physical or verbal harassment, bullying, or discriminatory conduct of any kind. All employees and elected officials are responsible for respecting the rights of other employees, and are expected to exercise common sense and refrain from conduct that could be perceived as workplace harassment.

Harassment

Workplace harassment will not be tolerated. Harassment includes conduct constituting discrimination based on an individual's race, color, religion, sex, sexual orientation, disability, gender identity, genetic information, domestic violence status, marital status, pregnancy status, veteran status, national origin, or age (if over 18), or any other protected status or activity recognized under Oregon, federal, or local law.

Harassment could be in the form of verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class, telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's speech, accent or disability. Workplace harassment also includes conduct between employees at a work related event (an event coordinated by or through the employer) that is off premises from the employee's regular place of employment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or non-verbal communication or physical conduct of a sexual nature where:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission or rejection of such conduct by an individual influences any employment-related decisions affecting the individual; or,
- The conduct has the purpose or effect of reasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted and that they want it to stop. If an individual believes they have been discriminated against or at the receiving end of harassment, or if an individual witnesses such behavior (or has credible information about such behavior occurring) they should bring the matter to the attention of their supervisor or manager. If they do not feel comfortable discussing their concerns with their supervisor or manager, or if they have questions relating to the issues of discrimination or harassment, then they should contact Human Resources.

Employees are encouraged to document the information or incident in any written or electronic form, or with a voice mail message or phone call.

Bullying

Bullying is defined as any repeated, severe or pervasive verbal or physical actions by an individual, or a group, directed towards another individual or group of persons, intended to intimidate and harm the health and safety of the employee(s). Bullying behavior could include (but is not limited to) any of the following:

- Persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks;
- Physical bullying, such as shoving, kicking, tripping or threat of physical assault; damage to a person's work area or property;
- Gesture bullying such as non-verbal threatening gestures or glances that convey threatening messages;
- Exclusion bullying. Socially or physically excluding or disregarding a person in work related activities; failing to be cooperative with coworkers;
- Cyber bullying. Using electronic technology, including social media, text messages, chat and websites to engage in bullying.

Employees who have experienced bullying in violation of this policy, who have witnessed an incident of bullying, or who have credible information about an incident, are expected to report the matter to the attention of their immediate supervisor / manager, or Human Resources.

If bullying conduct is found to have occurred, County will take prompt, appropriate corrective action, up to and including possible termination of employment for the individual(s) responsible for such behavior. All records pertaining to the complaint shall be kept by the Human Resources Department. If a party to a complaint does not agree with its resolution, that party may appeal in writing to the Board of Commissioners.

Complaint Procedure

If an individual wishes to file a report, notice or complaint of bullying, harassment or discrimination, the complaint should be in writing and addressed to either the Human Resources Officer, or alternatively, County Counsel. All reports of bullying, harassment, or discrimination received by supervisors or Department Heads shall be forwarded to County Counsel or the Human Resource Officer as soon as possible. All complaints, reports, or notifications of such behavior will be promptly and impartially investigated and will be kept confidential, to the extent possible, consistent with County's need to address the situation. If harassment conduct is found to have occurred, County will take prompt, appropriate corrective action, up to and including possible termination of employment for the individual(s) responsible for such behavior, if warranted. All records pertaining to the complaint shall be kept by the Human Resources Department. If applicable, County shall follow up with the victim(s) of the alleged harassment every three months for the calendar year following the allegation. If a party to a complaint does not agree with its resolution, that party may appeal in writing to the Board of Commissioners.

Protection Against Retaliation

Employees have a right to be protected from retaliation. Employees who believe they have been retaliated against should immediately report it to Human Resources, or alternatively, County Counsel.

The County shall conduct an investigation regarding the complaint maintaining anonymity and confidentiality to the greatest extent possible. Appropriate corrective action will be taken if warranted by the investigation.

Other Resources Available

Employees who are victims of harassment may be entitled to a “reasonable safety accommodation” that will allow the employee to safely continue to work, unless such accommodation would impose an “undue hardship” on Coos County. Please contact Human Resources with requests for reasonable safety accommodations.

Individuals have the right to address a complaint through the Oregon Bureau of Labor and Industries (BOLI) complaint resolution process, or under any other available law, whether criminal or civil. Legal action requires the individual(s) to provide the County with written notice of the claim within 180 days. The statute of limitations for unlawful discrimination, harassment and sexual harassment under ORS 659A.030, 659A.082, or 659A.121 is five (5) years from the date of occurrence.

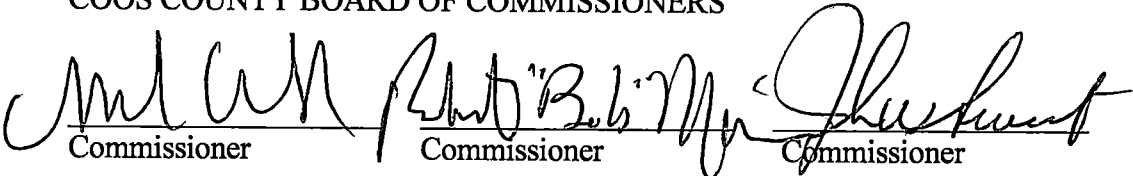
County employees have access to an Employee Assistance Program through Standard Insurance Co. This is a free service for employees and dependents. For access to confidential help 24 hours a day, 7 days a week, call toll free 1-888-293-6948 or www.workhealthlife.com/Standard3. The EAP program offers confidential counseling services, legal consultation, etc.

Employers are prohibited from asking an employee to enter into a nondisclosure agreement or a non-disparagement agreement. Employers cannot prevent an employee from discussing or communicating about his/her experiences in the workplace relating to workplace harassment, discrimination or sexual assault. However, if an employee who has been aggrieved by workplace harassment, discrimination or sexual assault initiates a written request to enter into a settlement, separation, or severance agreement with the County regarding their experience and/or employment status, then nondisclosure and non-disparagement are terms that may be agreed upon between the employee and County. To initiate such a request, the employee should contact the Human Resources Department. If the County and employee reach an agreement, the employee will have seven (7) days to revoke any such agreement after signing it. Requests of this nature shall be considered on a case by case basis. Such an agreement would prevent the employee from speaking slightly about the County or making comments that would lower the County in rank or reputation.

This Policy is effective October 1, 2020.

DATED THIS 6th day of October, 2020.

COOS COUNTY BOARD OF COMMISSIONERS


Commissioner Commissioner Commissioner