



Martin Luther King, Jr.  
OUTPATIENT CENTER

POLICY AND PROCEDURE

<b>DIVISION:</b> ADMINISTRATION	<b>NUMBER:</b> 04-029
<b>SUBJECT: SEXUAL HARASSMENT</b>	
<b>SECTION:</b> HUMAN RESOURCES	<b>PAGE:</b> 1 <b>OF:</b> 3
<b>REVIEWED BY:</b> HR ADMINISTRATOR AND PROCEDURE & POLICY COMMITTEE	<b>EFFECTIVE DATE:</b> 02/06/79
<b>TO BE PERFORMED BY:</b> ALL WORKFORCE MEMBERS	<b>REVIEWED DATE:</b> 04/16/07
	<b>REVISED DATE:</b> 05/2017

**PURPOSE**

To establish guidelines for promoting a work environment free from sexually harassing conduct, and for the reporting and resolution of complaints of such conduct.

**POLICY**

Sexual harassment is a form of unlawful discrimination that is a violation of Title VII of the Civil Rights Act of 1964, as amended, and Chapter 6 of the California Fair Employment and Housing Act. Sexual harassment is unacceptable and will not be tolerated by Martin Luther King, Jr., Outpatient Center or the County.

It shall be the policy of Martin Luther King, Jr., Outpatient Center to:

1. Educate workforce members and all persons involved with the workforce concerning sexual harassment issues;
2. Investigate all observed or reported instances of sexual harassment and take appropriate corrective actions, including disciplinary action;
3. Provide an internal complaint process for workforce members who experience or witness the violation of the sexual harassment policy which will protect workforce member confidentiality to the extent legally permissible, shield the individual(s) from retaliation, and allow for appropriate corrective action.

It is a violation of this policy, for a County officer or workforce member to ask for, or receive, sexual favors from another workforce member or prospective workforce member in return for, or as a condition of employment, promotion, job retention, a particular job or duty assignment, or any other action relating to employment. It is also a violation of this policy if submission to, or rejection of, such conduct is used as a basis for employment decisions or if it creates an intimidating, hostile or offensive work environment.

Failure of a workforce member to comply with this policy will subject him/her to disciplinary action, which may lead to discharge or termination of services/assignment.

**PROCEDURE**

**MLK OPC WORKFORCE MEMBER RESPONSIBILITIES**

All workforce members are responsible for assuring that sexual harassment does not occur within MLK OPC and their related work environments. Any workforce member who believes that he/she has been the object of, or has been affected by sexual harassment in work situations, or who is aware of an occurrence of sexual harassment, should report such action or incident to his/her supervisor, department/service area manager, the on-site Human Resources Office (or designee), or the County's Equity Oversight Panel so that the matter can be promptly investigated and appropriate

corrective action can be taken.

The Equity Oversight Panel can be contacted as follows:

Equity Oversight Panel  
Kenneth Hahn  
Hall of Administration  
500 W Temple Street – Room B -26  
Los Angeles, CA 90012  
(213) 974-9868  
<https://ceop.bos.lacounty.gov/>

## **FACILITY/DEPARTMENT/SERVICE AREA MANAGER RESPONSIBILITIES**

Each facility/department/service area manager is immediately responsible for promoting a work environment that is free from sexual harassment. Each facility/department/service area manager shall acknowledge their commitment, role and responsibility relative to this policy by ensuring that:

- A. The MLK OPC's policy regarding Sexual Harassment is disseminated to all County workforce members, and to all volunteers, students, trainees, university affiliated staff and contract agency workforce members within their areas of assignment.
- B. All managers and supervisory personnel are held accountable for complying with the MLK OPC's policy regarding Sexual harassment, inclusive of those managers and supervisory personnel with non-County subordinate staff members.
- C. All workforce members are aware of their responsibility for reporting allegations of sexual harassment.
- D. Attend, as required by California State Law, the County/DHS Sexual Harassment Prevention Training course every two years.

## **MANAGERS AND SUPERVISORY PERSONNEL**

Managers and supervisory personnel are responsible for the prevention and correction of sexually harassing occurrences within their areas of responsibility. Managers and supervisory personnel at all levels are responsible for:

- A. Ensuring that all workforce members within their area(s) of responsibility are aware of the MLK OPC policy regarding Sexual Harassment, and have attended Sexual Harassment Prevention training, as offered by DHS office of Training & Organizational Development;
- B. Ensuring that all workforce members are aware of their reporting responsibilities:
- C. Implementing and/or recommending immediate and appropriate corrective action when warranted;
- D. Attend, as required by California State Law, the County/DHS Sexual Harassment Prevention Training course every two years.

## **DEFINITIONS**

### Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature when any one of the following three things occurs;

1. **It is a condition of employment:** submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
2. **It is a consequence of employment:** submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual; or

- 3. **It is offensive job interference:** such conduct has the purpose or effect of unreasonable interfering with a workforce member's work performance or creating an intimidating, hostile, or otherwise offensive working environment.

Workforce or Workforce Member

Workforce member is defined as employees, volunteers, trainees, affiliates, students, and any other persons who perform work under the control of DHS, whether or not they are paid by the County.

**AUTHORITY**

Los Angeles County Code, Chapter 5.09  
California Fair Employment and Housing Act, Chapter 6  
Civil Rights Act of 1964, Title VII (as amended)  
DHS Employee Evaluation & Discipline Guidelines  
DHS Policy 749, Sexual Harassment Policy

**NOTED AND APPROVED:**

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Cynthia M. Oliver, Chief Executive Officer

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Date

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Ellen Rothman, M.D., Chief Medical Director

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Date

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Lessie Barber, Nursing Director

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Date

Signature(s) on File.