



**St. Johns County Administrative Code
Section: Human Resources**

Title:	411 Prohibition of Unlawful Harassment	Issued: January 2006
Reference: U. S. Code Title VII		Revised: June 2012 January 2023

411.1 Commitment

St. Johns County is committed to maintaining a work environment free of harassment on the basis of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), marital status, disability, and/or genetics. The County will not tolerate unlawful harassment of any employee by any supervisor, co-worker, vendor, client, or other parties while on the job. Workplace harassment may violate one or more of the following: Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, as Amended or the Florida Civil Rights Act. All employees are responsible for maintaining a workplace that is free of unlawful harassment and intimidation. The County is committed to promptly and thoroughly investigating all complaints of unlawful harassment. If, after a thorough investigation, it is determined that the County's policy against unlawful harassment has been violated, immediate and appropriate disciplinary action up to and including termination of employment may be taken.

411.2 Definition and Examples of Unlawful Harassment

Unlawful harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of the individual's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), marital status, disability, or genetics. Violations of the County's policy prohibiting unlawful harassment may include, but are not limited to, the following:

- Conduct that has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive environment.
- Conduct that otherwise adversely affects an individual's employment opportunities; epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), marital status, disability or genetics; and written or graphic material, including e-mails and computer screen displays, that denigrates or shows hostility toward an individual or group because of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation) gender, national origin, age (over 40), marital status, disability or genetics and that is placed on walls, bulletin boards, or elsewhere on the County's premises, or circulated in the workplace. This also includes acts that purport to, or are meant to be, jokes or pranks, but that are hostile or demeaning, such as hate mail, threats, defaced photographs, or other such conduct.

Violations of the County's policy prohibiting unlawful harassment may also occur when the intended target of the conduct is not offended, but others reasonably find the conduct to be intimidating, hostile or abusive.

The County is equally committed to maintaining a work environment free of sexual harassment. The County will not tolerate the sexual harassment of any employees by any supervisors, co-workers, vendors, clients, or anyone else. All employees are responsible for maintaining a workplace that is free of sexual harassment and intimidation. The County is committed to promptly and thoroughly investigating all complaints of sexual harassment. If, after a thorough investigation, it is determined that a violation of the County's policy prohibiting sexual harassment has occurred, immediate and appropriate disciplinary action up to and including discharge may be taken.



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411.3 Definition and Examples of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and any other physical, verbal or visual conduct of a sexual nature constitute sexual harassment when:

- 1) Submission to the conduct is an explicit or implicit term or condition of employment or continued employment.
- 2) Submission to or rejection of the conduct is used as a basis for employment decisions affecting an employee, such as promotion, demotion or evaluation.
- 3) The conduct has the purpose or effect of creating a hostile or offensive work environment.

Violations of the County's policy prohibiting sexual harassment may include, but are not necessarily limited to:

- Unwelcome sexual propositions.
- Sexual innuendo.
- Sexually suggestive remarks.
- Vulgar or sexually explicit comments, gestures or conduct.
- Sexually oriented kidding, teasing or practical jokes.
- Physical contact such as brushing against another's body, pinching or patting.
- The publication to anyone of documents (including pictures and text) in the workplace that contain any material that is of a sexual nature.
- Using the computer or any other electronic device to access any Web site, or any other resource that contains material that is of a sexual nature.
- Abusive or intimidating conduct or remarks directed at a person or persons based upon their gender,

Violations of the County's policy prohibiting sexual harassment may also occur when the intended target of the conduct is not offended, but others reasonably find the conduct to be intimidating, hostile or abusive.

Responsibility

All managers and supervisors shall be responsible for immediately notifying the Human Resources Department of any complaints of harassment since knowledge by management is legally construed as knowledge by the County. It is the responsibility of all employees to attend harassment training as required. Managers and supervisors are expected to prevent and eliminate harassment in their respective work areas. It is the responsibility of all employees to report harassing or discriminating conduct.