

## **D. EQUAL EMPLOYMENT OPPORTUNITY AND HARASSMENT**

Title VII of the Civil Rights Act of 1964 makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. Similar provisions under Louisiana state law can be found under Louisiana Revised Statutes Title 23, Chapter 3-a (La.R.S. 42:342B.(5)).

It is the policy of the Greater Lafourche Port Commission to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, age, national origin, physical or mental disability or status as a Vietnam Veteran in accordance with federal, state, and local laws. This policy applies to, but is not limited to hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, and training.

In support of this policy, the Greater Lafourche Port Commission prohibits any form of employee harassment. Improper interference with the ability of employees to perform their expected job duties will not be tolerated.

Unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature constitute sexual harassment when the conduct explicitly or implicitly affects an individual's employment or the holding of office, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment and shall not be tolerated (La.R.S. 42:342B.(1)). The Greater Lafourche Port Commission considers all of the foregoing as inappropriate conduct (La.R.S. 42:342B.(2)).

Some examples of such inappropriate conduct are

1. Verbal harassment, such as forcefully criticizing, insulting or denouncing another individual.
2. Physical harassment, such as assault or physical interference with normal work or movement when directed at any individual.
3. Sexual harassment, such as making unwelcomed sexual advances or requests for sexual favors; determining an employment decision on the submission or rejection of sexual conduct or sexual favors; creating an offensive or hostile working environment resulting from such conduct.
4. Retaliation for having reported or threatened to report harassment.

If an employee believes he has experienced any job-related harassment, he may file a complaint by following the Greater Lafourche Port Commission's Grievance Resolution Procedure (La.R.S. 42:342B.(3)).

Retaliation against an individual for filing a complaint or testifying or participating in any way in an investigation or other proceeding involving a complaint of sexual harassment is strictly prohibited (La.R.S. 42:342B.(4)).

Employees and Commissioners shall annually complete the education and training on sexual harassment required under La.R.S. 42:343 and submit a completion certificate to the Human Resources Analyst each calendar year.

**GREATER LAFOURCHE PORT COMMISSION**  
**SEXUAL HARASSMENT POLICY ATTEST FORM**

I \_\_\_\_\_ do hereby attest and affirm that I have fully read and understand the provisions of the Greater Lafourche Port Commission's Equal Opportunity Employment and Harassment Policy and the Greater Lafourche Port Commission's Employee Grievance Resolution Procedure.

Signed \_\_\_\_\_ Date \_\_\_\_\_

## **G. EMPLOYEES' RIGHTS AND GRIEVANCE RESOLUTION PROCEDURE**

The Greater Lafourche Port Commission recognizes that its employees are its most valued resource. Employees' comments, concerns, or complaints are valuable to the organization. This policy gives employees the means to express comments, concerns, or complaints.

Employees may discuss matters relating to policy and procedure interpretations or express comments, concerns, or complaints with their immediate supervisor or the Human Resource Department at any time.

If the employee issues raised have not been addressed to the employee's satisfaction or if the employee wishes to have the issue reviewed by someone other than his/her immediate supervisor, this agency grievance procedure shall be used. Violations of human rights, discrimination, harassment, or unlawful conduct are examples of matters that can be effectively handled through the grievance process.

If at any point during the Employee Grievance Resolution Procedure outlined hereafter, either criminal or civil complaints or formal criminal charges are filed with the legal justice system in relation to the matter giving rise to the employee grievance at issue, the President of the Board of Commissioners may elect to suspend the Employee Grievance Resolution Procedure pending the outcome of said legal proceedings.

## **EMPLOYEE GRIEVANCE RESOLUTION PROCEDURE**

This procedure and its report form are to be used by employees for expressing concerns, comments, complaints, etc.

### **Step One**

1. Complete the Grievance Statement and Resolution Sought sections of the Grievance Resolution Report form.
2. Submit the Grievance Statement and Resolution Sought portions of the Report form to immediate supervisor within 14 calendar days from the date employee first became aware of the valid work-related grievance. (An employee may present the grievance to his/her department head or the Commission's Human Resources Department if (i) the grievance involves the immediate supervisor and (ii) attempts to resolve the issue with the immediate supervisor have not been successful.)
3. Resolution of the grievance should be attempted at the earliest possible time.
4. Prepare the Decision of Immediate Supervisor portion of the Report form, sign and date same and discuss with the employee within 7 calendar days of the date the Report form was presented by Employee.
5. Complete and sign the Step One section of the Report form.
6. Send original Report form to the Human Resource Officer, with a copy retained by the supervisor and the employee.

If the grievance is not resolved to the employee's satisfaction in Step One or the Decision of Immediate Supervisor is not received by the employee within the required period of time, the employee shall complete the Employee Response portion of Step One, sign and date same and may proceed to Step Two.

### **Step Two**

1. Within seven calendar days of the completion of Step One, present the original Grievance Resolution Report form to his/her Department Head.
2. Resolution of the grievance should be attempted within 14 calendar days of the employee initiating Step Two.
3. Complete and sign the Step Two section of the Grievance Resolution Report form.

4. Send original Report form to the Human Resource Department, with a copy retained by the Department Head and the employee.

If the grievance is not resolved to the employee's satisfaction in Step Two, or response is not received within the required period, the employee shall complete the Employee Response portion of Step Two, sign and date same and may proceed to Step Three.

### **Step Three**

1. Within five calendar days of the completion of Step Two, present the original Grievance Resolution Report to the Executive Director.
2. The Executive Director shall prepare a written decision/response and complete the Step Three section of the Grievance Resolution Report, within 21 days of when the employee initiates Step Three.
3. Send original Report form and written response to the Human Resource Department, with a copy retained by the Executive Director and the employee.

If the written response from the Executive Director is not satisfactory to the employee or the written response is not received within the required period, the employee shall complete the Employee Response portion of Step Three, sign and date same and may proceed to Step Four.

### **Step Four**

1. If still dissatisfied, employee may within 7 days request that the Executive Director present the original Grievance Resolution Report, with the Step One through Step Three sections completed, to the Chairman of the Executive Committee of the Board of Commissioners at the date of the next committee meetings of the Board.
2. The Chairman of the Executive Committee may choose to respond to the Report or may at his discretion have the issue reviewed by the Executive Committee and/or the Commission.
3. The Step Four section of the Grievance Resolution Report is completed with a written decision attached within 21 days of receipt of the Report by the Chairman of the Executive Committee and shall then be forwarded to the Human Resource Department. This decision shall be final.

**GREATER LAFOURCHE PORT COMMISSION  
GRIEVANCE FORM**

*(This form to be used if the grievant is not satisfied with the oral decision of his or her immediate supervisor at the First Step of the grievance procedure. The form will be completed at each subsequent step at which the appeal is made. If a grievance is settled orally with the immediate supervisor, a written record is not mandatory. However, a memorandum record of the grievance for agency use will be maintained.)*

\_\_\_\_\_  
GRIEVANT'S NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DEPARTMENT

\_\_\_\_\_  
JOB TITLE

**STEP ONE**

**GRIEVANCE STATEMENT**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESOLUTION SOUGHT**

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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
GRIEVANT'S SIGNATURE

\_\_\_\_\_  
DATE

**DECISION OF IMMEDIATE SUPERVISOR**

*(Immediately Upon Receipt, submit a Copy of This Grievance to The Human Resources Officer, Respond within seven (7) calendar day)*

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\_\_\_\_\_  
SUPERVISOR'S SIGNATURE

\_\_\_\_\_  
DATE

EMPLOYEE ANSWER (Respond within seven (7) calendar days)

\_\_\_\_\_ I am satisfied with the answer to my grievance.

\_\_\_\_\_ I am not satisfied with the answer to my grievance because

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\_\_\_\_\_  
Therefore, I wish to have it referred to the next step.

\_\_\_\_\_  
GRIEVANT'S SIGNATURE

\_\_\_\_\_  
DATE



**STEP TWO**

**DEPARTMENT HEAD**

*(Investigate, interview grievant, and submit written statement to grievant, appointing authority, and Human Resource Department within fourteen (14) calendar days.)*

**Reply to Employee's Grievance:**

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DEPARTMENT HEAD'S SIGNATURE

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DATE

**EMPLOYEE ANSWER** (Respond within seven (7) calendar days)

\_\_\_\_\_ I am satisfied with the answer to my grievance.

\_\_\_\_\_ I am not satisfied with the answer to my grievance because

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Therefore, I wish to have it referred to the next step.

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GRIEVANT'S SIGNATURE

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DATE

**STEP THREE**

**EXECUTIVE DIRECTOR'S DECISION**

*(Interview grievant if requested and submit written statement of recommendations to employee, Department Head and Human Resource Department within 21 calendar days, following the date the grievance entered the third step.)*

**Reply to Employee's Grievance:**

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EXECUTIVE DIRECTOR'S SIGNATURE

DATE

**EMPLOYEE ANSWER** (Respond within seven (7) calendar days)

\_\_\_\_\_ I am satisfied with the answer to my grievance.

\_\_\_\_\_ I am not satisfied with the answer to my grievance because

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Therefore, I wish to have it referred to the next step.

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GRIEVANT'S SIGNATURE

DATE

**STEP FOUR**

**DECISION OF EXECUTIVE COMMITTEE CHAIRMAN, EXECUTIVE  
COMMITTEE OR BOARD OF COMMISSIONERS**

*(Within twentyOne (21) calendar days following the date the grievance entered the third step, hear the case, and issue a written decision to the employee, the Executive Director, and the Human Resource Department.)*

**Decision of Executive Committee Chairman, Executive Committee or Board of Commissioner:**

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**APPOINTEES OF BOARD OF COMMISSIONERS SIGNATURE**

**DATE**

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