

WAC 381-10-140 Sexual harassment policy. Pursuant to Executive Order 89-01, the indeterminate sentence review board hereby reaffirms and updates its policy regarding sexual harassment as follows:

It is the public policy of the state to provide and maintain a working environment free from sexual harassment for its employees and all citizens participating in state programs. Sexual harassment is a form of sex discrimination and is an unlawful employment practice under state and federal law.

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

(1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is absolutely prohibited. Any employee of the agency who engages in such activity will be subject to disciplinary action, up to and including termination.

The agency is committed to responding promptly and effectively to sexual harassment concerns and complaints. Any employee who feels that he or she is being sexually harassed should report the behavior immediately to his or her supervisor. If the supervisor is not responsive or if the employee feels uncomfortable talking to their supervisor for any reason, he or she should contact the chair of the board, the personnel representative, or anyone else in the agency with authority to act.

Employees may file a complaint with the Washington state human rights commission as a violation of chapter 49.60 RCW or with the Federal Equal Employment Opportunity Commission as a violation of Title VII of the Civil Rights Act of 1964.

The agency will continue to sponsor periodic training of employees in order to prevent sexual harassment in the workplace.

[Statutory Authority: RCW 34.05.220 (1)(b) and 42.17.250. WSR 91-14-028, § 381-10-140, filed 6/26/91, effective 7/27/91.]