

From: Danny Varat  
To: sadcox@postandcourier.com sadcox@postandcourier.com  
Date: 12/12/2017 4:05:48 PM  
Subject: Policy

---

Lieutenant Governor's Office  
Anti-Harassment Policy  
Revised 08/2017

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATES ANY CONTRACT OF EMPLOYMENT.

#### I. Policy

It is the policy of the Lieutenant Governor's Office to provide a work environment free of harassment based on race, color, sex, religion, national origin, ancestry, sexual orientation, age, disabilities, status of a veteran, or any other legally protected category under federal, state or local law. Offensive or harassing behavior will not be tolerated against any employee because of his or her protected status or the protected status of his or her relatives, friends, or associates. Any employee who engages in harassment will be subject to disciplinary action up to and including termination.

Supervisors and a member from the Human Resources department are responsible for taking proper action to end harassment in the workplace. Any supervisor or member of the Human Resources department with knowledge of such behavior yet takes no action to end it will be subject to disciplinary action up to and including termination.

The Lieutenant Governor's Office will not tolerate retaliation against anyone who complains of harassment or who participates in an investigation. However, if it is determined after investigation that the complaint was made up of false charges or that an employee has provided false information, disciplinary actions will be taken against the employee who filed the complaint or provided the false information.

#### II. Complaint Procedure

If anyone believes he or she is being treated in an unlawful discriminatory manner or is being harassed, he or she is responsible for taking the initiative to stop the unwelcome and possibly unlawful conduct. This could include making it clear the conduct is unwelcome or bringing the conduct to the attention of his/her immediate supervisor or the Human Resources Director. If the supervisor is unavailable or is the offending party, or the employee is uncomfortable in reporting the harassment to the supervisor, or the employee feels that the supervisor has not handled the matter to his or her satisfaction, the employee should report the harassing conduct directly to the Human Resources Director. A complaint may also be made in writing and sent to the Lieutenant Governor's

Office on Aging, Human Resources Office, 1301 Gervais Street, Suite 350, Columbia, SC 29201. In addition, supervisors having knowledge of complaints or allegations of harassment are required to contact the Human Resources Director immediately. All questions should be brought to the attention of the Human Resources Administrator.

### III. Process

All reports of harassment shall be investigated promptly and thoroughly. There shall be no exception to this rule. To the extent feasible, the claims of unlawful discrimination and unlawful harassment will be handled discreetly in order to protect all parties involved. The Lieutenant Governor's Office will notify all persons involved in the investigation that it is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action, up to and including termination.

The Lieutenant Governor's Office will take remedial action when warranted up to and including termination.

### IV. Aspects of Harassment

Harassment includes conduct by an employee that creates an intimidating, hostile or offensive work environment or interferes with an employee's work performance. The conduct may be between employee to employee, employee to supervisor, supervisor to employee, employee to non-employee or non-employee to employee. It is prohibited for an employee to harass a non-employee on Agency time or use State equipment. Supervisors may not threaten or imply that an employee's response to sexual advances, or any other harassing behaviors, will in any way influence the employee's continued employment or career development, nor may they have a sexual relationship with a subordinate.

A. The Lieutenant Governor's Office strictly prohibits conduct which can contribute to an offensive work environment which includes but is not limited to:

1. Unwelcome sexual advances, innuendoes, requests for sexual favors, and all other verbal or physical contact of a sexual nature.
2. Unwelcome jokes or pranks and offensive verbal, visual or physical conduct of a sexual nature, whether spoken, written, or communicated electronically.
3. Making or threatening reprisals for refusing sexual favors.
4. Repeated requests for dates or questions about one's sex life or experiences.
5. Unwelcome physical contact such as pinching, kissing, inappropriately touching another employee, or impeding another employee's normal work movement.
6. Slurs, jokes, posters, cartoons, pictures, offensive gestures, derogatory remarks, negative stereotyping, or offensive sounds that are based upon any protected status or directed toward an employee because of his or her protected status.
7. Acts of physical violence, threats of physical violence, or other physically intimidating behavior directed toward an employee because of his or her protected status.
8. A continuous discriminatory activity, engaged in because of an employee's protected status that is not explicitly sexual (or racial, ageist, etc.) (e.g., unequal distribution of work, lack of assistance when such assistance is provided to those outside the protected status, hiding work tools or equipment, etc.).
9. Bullying is defined as repeated inappropriate behavior, either direct or indirect whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place or work and/or in the course of employment. As in sexual harassment, it is the effect of the behavior

individual that is important. Types of bullying:

- (i) Verbal bullying: Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting, insulting or humiliating; using a person as abut of jokes; abusive and offensive remarks.
- (ii) Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- (iii) Gesture bully: Nonverbal threatening gestures; glances that can convey threatening messages.
- (iv) Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

NOTE: In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

Persistent singling out of one person.

Shouting or raising voice at an individual in public or in private.

Using verbal or obscene gestures.

Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).

Personal insults and use of offensive nicknames.

Public humiliation in any form.

Constant criticism on matters unrelated or minimally related to the person's job performance or description.

Ignoring or interrupting an individual at meetings.

Public reprimands.

Repeatedly accusing someone of errors that cannot be documented.

Deliberately interfering with mail and other communications.

Spreading rumors and gossip regarding individuals.

Encouraging others to disregard a supervisor's instructions.

Manipulating the ability of someone to do his or her work (e.g., overloading, under loading, withholding information, assigning meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions).

Inflicting menial tasks not in keeping with the normal responsibilities of the job.

Taking credit for another person's ideas.

Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.

Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.

Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

This bullets are not intended to be an all-inclusive listing.

B. Any such offensive conduct will also be considered a prohibited form of harassment when either of the following is true:

1. There is a promise or implied promise of preferential treatment or negative consequences regarding employment decisions or status.
2. Such conduct has, or could have, the effect of creating an intimidating, hostile, or offensive work environment, or it unreasonably interferes with a person's work performance.

Sent using OWA for iPhone