

DISCRIMINATION & HARASSMENT POLICY

The North Louisiana Criminalists Laboratory (NLCL) has zero tolerance for acts of discrimination or harassment.

The NLC strictly prohibits harassment and discrimination within the workplace on the basis of race, color, religion, sex, gender, age, disability, political affiliation, pregnancy, military service and national origin. Verbal or physical conduct which creates an intimidating, hostile or offensive work environment will not be tolerated.

Discrimination is conduct which evidences bias, prejudice, dislike, or disfavor towards an individual or class of individuals based upon a prohibited, non-merit factor. Discrimination also includes conduct or decisions which evidence preference for or favoritism towards an individual or class of individuals based upon a prohibited, non-merit factor.

Harassment is deliberate, persistent conduct purposefully directed to an individual which inflicts emotional distress, unreasonably interferes with the individual's work performance, or intentionally creates an intimidating, hostile, or offensive work environment.

In general, discrimination and harassment may include epithets, slurs, name-calling, jokes, negative stereotyping, ostracism, physical conduct, and favoritism based upon a prohibited factor. Writings, pictures, caricatures, cartoons, and the like which degrade, demean, or otherwise show hostility towards an individual because of or based upon a prohibited factor constitute discrimination and harassment.

SEXUAL HARASSMENT

Sexual harassment constitutes discrimination and employee misconduct and is illegal under federal, state, and local laws. Sexual harassment is strictly prohibited under the Equal Employment Opportunity Commission, Section 703 of Title VII of the Civil Rights Act of 1964 as amended; Louisiana Employment Discrimination Law; R.S. 23:301-303 and 332; and La R.S. 42:341-345.

It is defined by the Equal Employment Opportunity Commission as:

Unwelcome sexual advances, requests for sexual favors, and other verbal, physical or inappropriate conduct of a sexual nature if:

- i. submission to such conduct is an explicit or implicit term or condition of an individual's employment.
- ii. submission to or rejection of such conduct is a basis for employment decisions affecting such individual; or
- iii. the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of behaviors and may involve individuals of the same or different gender. Sexual harassment of any employee by another employee, legislator, or other person with whom an employee may have contact as part of his work

environment is prohibited. Sexual harassment does not require the intent to offend. All employees should know of their responsibilities and protection under this policy.

Actions that are inappropriate and may meet the definition of sexual harassment or contribute to a hostile work environment, include but are not limited to the following:

- Sexual pranks, or repeated sexual teasing, jokes, gestures or innuendo.
- Lewd comments about an individual's body.
- Touching or grabbing of a sexual nature.
- Talking about one's sexual activity in front of others.
- Inappropriate unwelcome conduct of a sexual nature such as: cornering, repeatedly standing too close to or brushing up against another's body or leaning into or over a person.
- Giving gifts or leaving objects that are sexually suggestive.
- Posting, making, or displaying pornographic, sexually demeaning, or sexually explicit material in the workplace.
- Pressure for unnecessary personal interaction.
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment.
- Making sexual statements in person, in writing, or electronically, such as email, instant messaging, text messaging, blogs, web pages, social media, etc.

Individuals who believe they have been subjected to harassment on the basis of any protected classification should report that behavior pursuant to the procedures described below.

RESPONSIBILITIES

Employees

If any employee feels that they are being subjected to, or witnessing, discrimination or harassment they may immediately inform the harasser that the conduct is unwelcome and needs to stop. If the inappropriate conduct does not cease, or if the employee is unable to or uncomfortable with addressing the alleged harasser directly, they should report the incident to their own supervisor or to HR. All staff of the NLCL should report incidents of discrimination or harassment to their supervisor or HR, either in person, via the QualTrax Internal Confidential Complaint workflow or by completing the Discrimination & Harassment Complaint Form (NLCL_HR_INFR114). Anyone who considers themselves a victim or a witness of discrimination or harassment should take immediate steps to end the behavior. Persons found to have engaged in discrimination or harassment will be subject to disciplinary action. Human Resources will immediately begin an investigation and will make all reasonable efforts to resolve the issue upon receiving the complaint.

If anyone within the NLCL hears rumors that discrimination or harassment is occurring, Human Resources must investigate the potential harassment the same as if a formal complaint had been received. This can include hearing gossip from other employees.

Anyone who considers themselves a victim or a witness of discrimination or harassment should take immediate steps to end the behavior. Persons found to have engaged in discrimination or harassment will be subject to disciplinary action. Human Resources will immediately begin an investigation and will make all reasonable efforts to resolve the issue upon receiving the complaint.

If an individual has been determined to be in violation of the NLCL discrimination and harassment policy, consequences may include cease and desist orders, compensatory damages, and employment decisions up to and including suspension and/or termination. Individuals who engage in acts of discrimination or harassment may also be subject to civil and criminal penalties.

It is important to report all concerns of discrimination or harassment or inappropriate conduct to HR or a supervisor/manager as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

Managers and Supervisors

Managers and supervisors must immediately address any knowledge of discrimination or harassment within their departments, whether or not there has been a written or formal complaint. Managers and supervisors must:

- Take all complaints or concerns of alleged or possible discrimination and harassment seriously no matter how minor or who is involved.
- Report all incidents to HR immediately so that a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate discrimination or harassment, or retaliation, including the failure to immediately report such misconduct to HR, are in violation of the NLCL policy and subject to discipline.

Human Resources

HR is responsible for:

- Ensuring that both the individual filing the complaint (complainant) and the accused individual (respondent) are aware of the seriousness of a discrimination or harassment complaint.
- Explaining the NLCL's discrimination or harassment policy and investigation procedures to all parties involved.
- Exploring informal means of resolving discrimination or harassment complaints.
- Notifying the police if criminal activities are alleged.
- Arranging for an investigation of the alleged harassment and the preparation

- of a written report.
- Submitting a written report summarizing the results of the investigation and making recommendations to designated company officials.
- Notifying the complainant and respondent that of the actions being taken, if any, and administering those actions

RETALIATION IS PROHIBITED

The NLCL prohibits retaliation against any individual who in good faith reports or provides information about discrimination or harassment, participates in any investigation of such reports, or testifies or assists in any legal proceeding regarding harassment or discrimination, even if it turns out that the person was mistaken. Retaliation can include a range of actions, such as:

- reprimanding an employee or giving a performance evaluation that is lower than warranted;
- transferring an employee to a less desirable position;
- engaging in verbal or physical abuse;
- increasing scrutiny of an employee's performance without basis;
- spreading rumors about an employee;
- making an employee's work environment more difficult; or
- shunning or isolating an employee.

Retaliation is a violation of the law as well as a serious violation of this policy and, like harassment or discrimination itself, will be subject to discipline, up to and including termination. Individuals who believe they have been subject to retaliatory treatment are urged to report the incident.

CONFIDENTIALITY

Confidentiality, to the extent permitted by law, will be observed to protect the identity and rights of individuals who complain of discrimination or harassment and of the person against whom the complaint is being made, provided that protection does not interfere with the organization's ability to investigate and take corrective action. In many instances, the NLCL Management will be able to address concern(s) and stop the behavior without revealing the complainant's identity to the alleged harasser. Every effort will be made to protect the individual bringing forth the complaint and to respond to her or his concerns.

CLAIMS

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of discrimination or harassment under local, state, or federal law.

To initiate a claim under federal or state law, employees are referred to the Equal Employment Opportunity Commission and the Louisiana Commission on Human Rights:

EEOC District Office

Hale Boggs Federal Building
500 Poydras Street, Suite 809
New Orleans, Louisiana 70130
800-669-4000 (Voice)
504-589-2958 (TDD)
504-595-2844 (Fax)
<https://www.eeoc.gov/>

LCHR

1001 N. 23rd Street
Suite 268
Post Office Box 94094
Baton Rouge, Louisiana 70804
225-342-6969 (Voice)
888-241-0859 (TDD)
225-342-2063 (Fax)
<http://gov/page/lchr>