

MEMORANDUM

TO: Members of the County Council
Steve Ehlmann, County Executive

CC: Claire Felder, Executive Assistant to the County Council
Joann Leykam, Director of Administration
Jennifer George, Assistant Director of Administration
John Watson, County Counselor

FROM: Samantha Shadrach, Director of Human Resources

RE: 2019 PAP revisions to Section 115.130

DATE: March 7, 2019

This bill amends the Personnel Administration Program (PAP) to provide for an updated anti-harassment policy. **Section 115.130** provides for a zero-tolerance stance and provides a clear structure on reporting complaints. The Merit Commission has already reviewed this change and concurred with the recommendation to establish the new Anti-Harassment Policy.

The following is a bullet-point summary of the revisions to the PAP:

- Section I of the bill amends **Section 115.130.A**. Establishes an Anti-Harassment Policy, as well as establishes a zero-tolerance stance as it pertains to the protected classes listed in Title VII of the Civil Rights Act of 1964.
 - **Section 115.130.B**. Sets forth the forms that harassment may take and provides employees examples to help them clearly understand what behavior is not tolerated.
 - **Section 115.130.C. Reporting Harassment** to establish a clear understanding of who can report a claim of harassment, and how they can report a claim. In addition, a Harassment Complaint Intake Unit will provide all employees a readily available and safe place to report claims of harassment.

- All claims, regardless of reporting method will be reviewed by the Intake Unit to determine a need for a formal investigation.
- The Harassment Complaint Intake Unit will be comprised of The Director of Human Resources and the County Counselor or their designee(s).
- **Section 115.130.D & E.** Establishes a clear explanation of how all investigations are conducted and who will be conducting investigations. In addition, it establishes clear obligations of employees for reporting and the prohibition of retaliation. Further, a confidentiality clause was established to ensure employees understand that confidentiality is not guaranteed.
- Section 2 of the bill assigns the Director of Human Resources the responsibility of periodically reviewing and recommending updates to a County code of conduct.
- Section 3 of the bill allows for transfers of an employee from one department to another in a position within the same paygrade as long as the elected department director does not object to the transfer.
- Section 4 of the ordinance makes it explicitly clear that violation of the Anti-Harassment Policy can be grounds for discipline outside of the progressive discipline procedure.

The Human Resources Department works as a strategic partner with St. Charles County government leadership, with individual employees, and with the general public to provide high quality human resource services. Our core services and competencies include recruitment and staffing, employee relations, employee development and training, compensation and benefits, and regulatory compliance.