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- 2.5 Undue Influence – Employees shall not use undue influence to gain or attempt to gain promotion, leave, favorable assignment or other individual benefit or advantage.
- 2.6 Misconduct – Employees shall not violate, or fail to comply with, the laws and regulations of federal, state and local government and the rules and policies of this Court. Employees shall not exhibit conduct unbecoming a Court employee.
- 2.7 Employees shall not, in the course of conducting the business of the Court, discriminate unlawfully against another employee of the Court or a member of the public on the basis of race, color, religion, national origin, sex, age, disability, or sexual preference.
- 2.8 No employee or family member of an employee should appear before the judge or hearing officer who is the direct supervisor of the employee, and the employee has a positive duty to inform the judge or hearing officer of the relationship.

3. POLITICAL ACTIVITY

- 3.1 Endorsements – Employees of the Court are entitled to entertain personal views on political questions and are not required to surrender rights or opinions as a citizen. However, employees should not act as leaders or hold office in political organizations. Employees should not make speeches for or publicly endorse political organizations or candidates for political or public office.
- 3.2. Candidacy – No court employee shall be a candidate for or hold an elective office. An employee who becomes a candidate for elective office, as defined by the Campaign Finance Disclosure Act, La.R.S. 18:1483(3), shall be separated from employment with the respective court (effective with date of public announcement of candidacy or actual qualification).
- 3.3. Campaign Involvement – Employees who work directly for a particular judge may participate in that judge's campaign if they so choose, but may not be coerced into such activity, and such activity must be performed during non-working hours of the Court or while the respective employee is on paid leave or leave without pay.

4. LAW CLERKS

- 4.1. Private Practice – Attorneys employed by the Court shall not practice law in the same judicial district while they are employed in their respective positions, nor shall they engage in any business, calling, or employment which interferes with the proper discharge of their duties, except when representing themselves or when representing a member of their immediate family in an uncontested matter.

5. HARASSMENT AND DISCRIMINATION

- 5.1 The Court expressly prohibits any form of harassment, including sexual harassment, discrimination or ill treatment based on an employee's race, color, religion, gender, age, disability, sexual orientation, national origin, ancestry, uniformed service member status, or the exercise of any legal rights.
- 5.2 Harassment generally consists of verbal or physical conduct which denigrates or shows hostility or aversion toward an individual or group of individuals. The Court takes the broadest possible view consistent with law and reason regarding conduct encompassed by the term "harassment". However, the Court recognizes the rights of managers and supervisors to appropriately counsel and discipline employees, and such activities are not included in the definition of "harassment". The examples and descriptions provided herein, although not an exhaustive list, should be used as guidelines for determining expected standards of professional and responsible conduct.

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- 5.3 Discrimination in the form of harassment includes, but is not limited to, any of the following behaviors or activities which, by their nature, are directed toward any individual or group of individuals because of race, color, religion, sex, national origin, age or disability:
- i. Epithets, slurs, negative stereotyping, or jokes targeted at a particular individual or group;
 - ii. Threats, intimidating remarks, hostile acts, physical gestures or actions which serve to threaten, intimidate or denigrate; and/or
 - iii. The circulation of or presence in the work area or on Court premises of any written or graphic material which ridicules or denotes hostility or aversion, or which may be offensive based on a “reasonable person” standard.
- 5.4 All employees are responsible for helping ensure that the workplace is kept free of harassment and discrimination of any kind.
- 5.5 It is critical for any employee who experiences or witnesses possible harassment to report it promptly to the Court Administrator.
- 5.6 All complaints will be treated seriously, kept confidential as possible, and investigated fully. However, the Court cannot guarantee complete confidentiality where it would conflict with the Court’s obligation to investigate.
- 5.7 The court expressly forbids any retaliation of any kinds against employees who make a good faith report of possible harassment.

6. SEXUAL HARASSMENT

- 6.1 “Sexual Harassment” receives special attention by the Equal Employment Opportunity Commission (EEOC) and this Court. It is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which:
- i. Either explicitly or implicitly makes compliance with the conduct a term or condition of an individual’s employment;
 - ii. Makes submission to or rejection of the conduct a basis for employment decision(s) affecting an individual; and/or
 - iii. Has the purpose or effect of unreasonably interfering with an individual’s work performance
 - iv. Creates an intimidating, hostile, or offensive working environment.
- 6.2. The following examples of sexual harassment are not an exhaustive list but are provided as guidelines for determining expected standards of professional and responsible conduct:
- i. Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (including repeated, unwelcome requests for dates), and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
 - ii. Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds, leering, staring, whistling, obscene gestures, content in letters, notes, emails, photos, text messages, tweets and internet postings; or other forms of communication that are sexual in nature and offensive.

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- iii. Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, massaging, cornering, kissing, fondling, and forced sexual intercourse or assault.
- iv. Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- v. Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.

6.3 Sexual harassment most often occurs between persons having unequal power, authority, or influence, regardless of the sexual preference of the parties involved. Threats of adverse consequences or promises of reward may be implied solely by circumstances of unequal power. Unequal power, authority, or influence alone may imply a threat of adverse consequence or promise of reward and describes an inherent conflict of interest when an individual exercises supervisory authority over another and engages in verbal or sexual conduct toward the supervised employee. Therefore, any dating or sexual relationship between a supervisor and subordinate, regardless of whether the relationship is consensual, is strongly discouraged by the Court because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. If there is such a relationship, the parties involved need to be aware that one or both may be moved to a different department or other actions may be taken.

6.4 Complaint Procedure - It is the duty of every employee who experiences or witnesses behavior which he/she believes may constitute harassment to immediately report such conduct by following the complaint procedures outlined herein. Retaliation against any employee who makes a good faith report of conduct which he/she believes may constitute harassment in violation of this policy, or who provides information during an investigation of a complaint, is strictly forbidden and shall be grounds for disciplinary action up to and including dismissal. A victim of harassment should immediately inform the offending person, without fear of retaliation or reprisal, that the conduct is unwelcome, offensive and must stop. This is not a requirement, but rather a suggested course of action to immediately and effectively cease the harassment. Regardless of whether an employee communicates the problem directly to the offender, he/she must report all incidents of harassment to his/her supervisor (if not the offending party), and to the Court Administrator.

6.5 Complaints of False Charges - Because of the nature of the problem, complaints of harassment cannot always be substantiated. Lack of corroborating evidence should not discourage victims of harassment from seeking relief through a formal complaint. However, charges found to have been intentionally dishonest or made maliciously without regard for the truth will subject the complainant to disciplinary action up to and including dismissal.

6.6 Application and Notification of Policy - This policy is applicable to and disseminated to all officials and employees of the 15th JDC in the following manner:

- i. The policy is disseminated to all Court employees annually via email
- ii. The policy is issued to all newly hired Court employees during the new hire onboarding process.

PLEASE READ AND SIGN ACKNOWLEDGEMENT

- iii. The policy is located on the 15th JDC's website

6.7 Application and Notification of Policy - In accordance with Louisiana ACT 270, the following is effective January 1, 2019 in regards to Sexual Harassment:

- i. Each public servant, which includes all Court employees and Elected Officials shall receive a minimum of one-hour mandatory education and training on preventing sexual harassment during each full calendar year.
- ii. Any person designated by the Court to accept or investigate complaints of sexual harassment must receive additional education and training beyond the one hour per calendar year.
- iii. The education and training required pursuant to this Section may be received either in person or via the internet through training and education materials approved by the public servant's agency head.
- iv. The Court Administrator shall be responsible for maintaining records of the compliance of each Court employee in the agency with the mandatory training requirement.
- v. Each record of compliance shall be a public record and available to the public in accordance with the Public Records Law.

6:9 Application and Notification of Policy - Mandatory reporting requirements in accordance with ACT 270: Each agency head shall compile an annual report by February first of each year containing information from the previous calendar year regarding his agency's compliance with the requirements of this Chapter to include:

- i. The number and percentage of public servants in his agency who have completed the training requirements
- ii. The number of sexual harassment complaints received by his agency
- iii. The number of complaints which resulted in a finding that sexual harassment occurred
- iv. The number of complaints in which the finding of sexual harassment resulted in discipline or corrective action
- v. The amount of time it took to resolve each complaint.

7. PREGNANCY NONDISCRIMINATION

7.1 Pursuant to LA RS 23:342 (C).

The 15th Judicial District Court provides employees and applicants for employment with a work environment free from discrimination based on medical needs arising from pregnancy, childbirth, or related medical conditions, known to the 15th Judicial District Court.

8. VIOLATIONS

- 8.1 The Court shall take all violations of the policies contained herein seriously and appropriate action shall be taken against such violations after thorough investigation.
- 8.2 Violations or suspected violations should be reported to Court Administration or your immediate supervisor.
- 8.3 Court Administration shall perform due diligence and investigate reported violations of this policy.