

**COUNTY OF IMPERIAL
BOARD OF SUPERVISORS POLICY**



Subject: Sexual Harassment Policy
Effective Date: March 03, 2026
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SEXUAL HARASSMENT POLICY

I. Introduction

The County of Imperial recognizes that a productive working environment includes one that is free from sexual harassment, whether verbal, visual, or physical in nature. Every supervisor and department head is responsible for ensuring that their employees demonstrate mutual respect for each other, and that conduct such as unlawful sexual innuendo, intimidation, and solicitation are absent.

II. Policy

This Sexual Harassment Prevention Policy is derived from the County's Equal Employment Opportunity Policy. It is the policy of the County of Imperial to ensure that its offices and activities are conducted in an environment free of sexual harassment.

This policy extends to all forms of communication, physical contact, and/or other gestures of a sexual nature that are unwanted and are explicitly or implicitly exploitative, intimidating, demeaning, and/or derogatory. Sexual harassment is an exercise of power expressed by forcing someone to grant or tolerate familiarity or intimacy they otherwise would not. Personality conflicts should not be misconstrued as sexual harassment and should be reported to the immediate supervisor for resolution.

No supervisor, co-worker, or other person shall cause a county employee to be in jeopardy of losing a job or promotion, be subject to adverse action or retaliation, or otherwise be placed in an intimidating, hostile or offensive working environment, as the result of being subjected to rejecting, or reporting sexual harassment.

No person shall promise or grant favored treatment in hiring, promotion, discipline, or other employment decisions, to an individual on the condition that such individual participate in or

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tolerate otherwise unwelcome sexual behavior. The County will take preventive, corrective and disciplinary action for any behavior that violates this policy. Disciplinary action up to and including termination will be imposed for unlawful behavior.

III. Policy Dissemination

The Equal Employment Opportunity Office is responsible for ensuring that the policy and complaint procedures relating to sexual harassment are disseminated and implemented.

The Human Resources Director is responsible for ensuring that this information is included in the Employee Personnel Handbook and in orientation sessions with new employees (permanent, extra-help, and seasonal employees).

IV. Responsibilities

It is the responsibility of every supervisor, manager, department head, and appointed/elected official to take any sexual harassment complaint seriously and to respond immediately. The department head is responsible for notifying the Equal Employment Opportunity Office immediately upon receipt of a sexual harassment allegation.

- Management shall monitor the work environment, take all steps necessary to prevent from occurring and respond immediately to allegations of sexual harassment.
- It is the responsibility of all employees to treat each other with respect and consideration.
- In the event an employee believes in good faith that they have been a victim of sexual harassment as defined in this policy, it is the employee's responsibility to report to their chain of command (employee may choose to bypass any offending member or management to report such conduct) or EEO office as soon as practicable.

The Equal Employment Opportunity Office shall follow up with the department head on the progress of the investigation and resolution. All incident reports, forms and documentation shall be kept confidential and will remain in the Equal Employment Opportunity Office.

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V. Applicability

This policy applies to all County employees, elected and appointed County officers and department heads and to those who are agents of a public or private institution doing business with the County. This policy also extends to conduct towards members of the public.

This policy does not supersede County of Imperial grievance procedures.

VI. Definition

- A. As used in this policy, “sexual harassment” means harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, gender identity, gender expression, or sexual orientation. It includes all these actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexual Harassment does not have to be of a sexual nature and sexual harassment does not need to be motivated by sexual desire. In addition, sexual harassment may include situations that began as a consensual dating or sexual relationship, but that later became a relationship that was not welcomed by one of the people involved.

This policy applies during, but it is not limited to, normal working hours, at work sponsored functions, and while traveling on work related business. Any conduct that is believed to violate this policy should be reported immediately by individuals covered by this policy. There will be no retaliation towards anyone who in good faith alleges illegal harassment. The victim as well as the harasser may be of any gender. The victim does not have to be of the opposite gender. The harasser can be the victim’s supervisor, a supervisor in another area, a co-worker, an agent of the employer, or a non-employee of the employer, such as a client customer.

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- i. Verbal Harassment: Epithets, derogatory jokes or comments, slurs or unwanted sexual talk. It also includes verbal abuse of a sexual nature such as graphic verbal commentaries about a person's body, sexually degrading words used to describe an individual, propositioning, suggestive or sexually graphic letters, notes and invitations.
- ii. Physical Harassment: Assault, battery, impeding or blocking normal movement or interfering with work, and unwanted touching such as, pinching, grabbing, patting.
- iii. Visual Harassment: Derogatory posters, notices, cards, calendars, bulletins, cartoons, graffiti, photographs, signs, drawings, protracted staring or gestures.

B. Sexual Harassment is generally categorized into two types: Quid Pro Quo or Hostile Work Environment

- Quid Pro Quo Harassment: Unwelcome sexual advances, requests for favors, and other verbal, physical or visual conduct of a sexual nature when:
 - Submission to sexual conduct is made explicitly or implicitly a term or condition of a person's employment; or
 - Submission to or rejection of such conduct by an employee is used as a basis for employment decisions affecting the employee.
- Hostile Work Environment: Any sexual harassing conduct including and not limited to any unwelcome sexually suggestive comments, gestures, advances, pictures, emails, texts, epithets, sexual liaisons in graphical detail, touch, or humor, by any person in the workplace, directed to or witnessed by an employee that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or otherwise offensive working environment.

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VII. Protections

If an individual accused of sexual harassment under this policy considers such claim to be malicious or fraudulent, said individual will have the opportunity to present evidence during the normal course of the complaint investigation. When introduced into the basic complaint, the Equal Employment Opportunity Office shall make a determination on this issue specifically and concurrently. If the sexual harassment allegation is determined to be malicious or fraudulent, the Equal Employment Opportunity Office shall make appropriate recommendations as to the disposition of the case.

The County will not tolerate retaliation against any individual who rejects sexual advance(s), complains of sexual harassment or files in good faith a sexual harassment complaint. The County will not tolerate retaliation against any person who participated in an investigation covered under this policy. If retaliation is alleged, it shall be processed as a separate complaint that shall be filed directly with Equal Employment Opportunity. The law prohibits such acts of retaliation. Any employees found to be retaliating against another employee shall be subject to disciplinary action up to and including termination