

Chief Judge
David J. Reader

Circuit Court Judge
Michael P. Hatty

Probate Court Judge
Carol Hackett Garagiola



Livingston County Trial Courts
204 S. HIGHLANDER WAY, HOWELL, MI 48843

District Court Judges
Theresa M. Brennan
L. Suzanne Geddis
Carol Sue Reader

Livingston County Courts

Harassment and Discrimination Prevention Policy

1. POLICY

The Court is committed to providing a work environment in which the dignity of every individual is respected and preserved.

Harassment and/or discrimination in the work environment are destructive of good working relationships and have a negative impact on the Court's ability to deliver quality services to the public. It is the responsibility of all Court employees to maintain a fair, effective work environment that is free from harassment and/or discrimination.

In order to create and maintain an environment in which all employees and members of the public using the Courts are treated with courtesy and respect, the Court will not tolerate any harassing and/or discriminatory behavior based on status or class protected by law, including race, color, religion, ethnicity, national origin, gender, age height, weight, marital status, veteran's status, or disability.

Workplace harassment and/or discrimination are violations of federal and state statutes and also violate Court policies and procedures. All complaints of harassment and/or discrimination received from employees or members of the public using the Courts will be fully investigated. Any employee found to have violated the provisions of this policy shall be subject to disciplinary action up to and including termination of employment.

2. DEFINITIONS:

A. Discriminatory Harassment

The following types of behavior are discriminatory harassment and are subject to discipline: verbal or physical conduct by an employee that is based on race, color, creed, religion, national origin, sex, age, height, weight, marital status, disability or other legally protected status, that:

- Adversely affects a term or condition of an individual's employment or participation in a court service,

- Is used as the basis for a decision that adversely affects an individual's employment or participation in a court service,
- Has the purpose or effect of creating an intimidating, hostile, or offensive environment for employment or participation in a court service.

B. Sexual Harassment

Sexual harassment consists of any unwelcome sexual advance, request for sexual favors, and any other verbal or physical conduct of a sexual nature. Sexual harassment exists when an employee does not solicit or initiate the conduct/behavior and where a reasonable person would find the conduct as unwelcome or offensive. Sexual harassment exists when any of the following apply:

- Submission to the conduct/behavior is an explicit or implicit term or condition of obtaining or retaining employment, or
- Submission to, or rejection of, the conduct/behavior by an employee affects decisions made concerning that employee's employment including work assignments, promotion, or discharge, or
- The conduct/behavior has the intent or effect of substantially interfering with the employee's ability to perform his/her job functions, or to create a hostile, intimidating, or offensive work environment.

Sexual harassment may be verbal, non-verbal or physical and may include but not be limited to any of the following:

Verbal harassment may include verbal abuse or insults of a sexual nature; graphic comments about an individual's body; use of sexually degrading words or vulgar words of a sexual nature; humor or jokes about sex or gender specific traits; a pattern of repeated requests or pressure for dates; unwelcome propositions; suggestive whistles or other sexually oriented verbal displays.

Non-verbal harassment may include displaying sexually suggestive objects or pictures; making sexually suggestive gestures; sexually oriented facial expressions, such as leering; and other sexually oriented non-verbal displays.

Physical harassment may include unwelcome touching of a sexual nature; pinching, grabbing; intentional brushing of the body; coerced/unwelcome sexual acts; sexual assault; and other physical acts of a sexual nature.

C. Other Types of Harassment and/or Discrimination

Offensive, disrespectful behaviors related to status or class of individuals as prohibited by law will not be tolerated. Examples of conduct/behavior which are prohibited include, but are not limited to, the following:

- Making comments or jokes that perpetuate stereotypes and myths about an individual and that individual's group;

- Mimicking an individual's accent; directing slurs and/or derogatory comments toward an individual or that individual's group;
- Singling out and subjecting an individual to ridicule or pranks which are discriminatory in nature or meaning an individuals or groups of individuals;
- Imposing religious views on others.

3. REPORTING HARASSMENT/DISCRIMINATION

A Court employee who believes that s/he has been harassed, discriminated against, or subjected to threats, intimidation, ridicule, or other offensive conduct/behavior should report the incident in writing to his/her immediate supervisor and/or the appropriate Court Administrator. If the immediate supervisor is the person believed to be harassing or discriminating, the complaint should be reported to the Court Administrator. If the Court Administrator is the person believed to be harassing or discriminating, the complaint should be reported to the Chief Judge of the Courts. If a judge is the person believed to be harassing or discriminating, the complaint should be reported to the Chief Judge. If the Chief Judge is the person believed to be harassing or discriminating, the complaint should be reported to a Court Administrator, who will consult with County Human Resources and/or the State Court Administrative Office.

A supervisor receiving a complaint must report the complaint to the Court Administrator. A Court Administrator will notify the Chief Judge of a complaint and will consult with the Livingston County Human Resources Director and/or the State Court Administrative Office, as appropriate.

The Chief Judge may take any steps necessary to restrict or deny contact or access between a complainant and the person cited in the complaint, including transfer, movement of work station, suspension, or re-direction of duties to ensure that the conduct or behavior does not re-occur.

Failure to promptly report complaints of harassment and/or discrimination in the workplace is considered a violation of this policy and is subject to disciplinary action up to and including termination of employment.

4. INVESTIGATION OF COMPLAINTS

The Chief Judge, with consultation from County Human Resources and/or the State Court Administrative Office, will investigate complaints of workplace harassment and/or discrimination. Complaints will be investigated in a confidential manner. The Chief Judge will designate an investigator to conduct a prompt, impartial investigation. The investigator shall have the authority to:

- Interview the complainant, the individual cited in the complaint, and any witnesses to the incident(s).
- Collect documentation and any other information related to the incident(s).
- Prepare a confidential report of the results of the investigation and submit it to the Court Administrator and/or the Chief Judge.

- Maintain confidentiality of all information obtained through the investigation.
- Consult with the County Human Resources Director as appropriate.

5. RESOLUTION OF COMPLAINTS

The Chief Judge, in consultation with the County Human Resources Director and/or the State Court Administrative Office, will determine whether there is sufficient cause to believe that the complainant has been the subject of harassment and/or discrimination and will recommend appropriate disciplinary action up to and including termination of employment.

If it determined that this policy has been violated, a written report of the violation with recommended action will be submitted to the Chief Judge and/or Court Administrator.

The complainant will be kept informed of the status of the complaint. Details of action on the complaint may be kept confidential out of respect for the privacy rights of the parties involved.

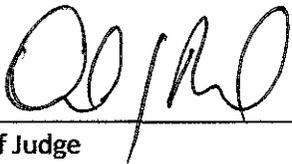
All reasonable steps must be taken by the Chief Judge to ensure that the individual violating the policy stops any and all forms of harassment and/or discrimination towards the complainant or any other person.

If it is found that there is insufficient evidence to substantiate the allegation of harassment and/or discrimination, the Chief Judge, in consultation with the County Human Resources Director, will notify all parties of the disposition of the matter.

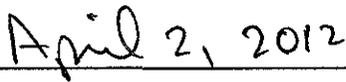
Nothing in this section shall prohibit either party from exercising any action or remedy available to them by law.

6. RETALIATION

The Chief Judge will not tolerate retaliation directed toward any individual filing a harassment and/or discrimination complaint, or toward anyone providing information regarding a complaint. An employee engaging in retaliation of this nature is subject to disciplinary action up to and including termination of employment.



Chief Judge



Date