PROHIBITION OF SEXUAL HARASSMENT POLICY
LUCCC PERSONNEL POLICY 01

Est. 08.1.2025 ***Rev. 8.6.26***

I. POLICY

All LUCCC employees have a right to a work environment that is free of harassment and discrimination. Employees are required to comply with the federal, state and local laws, government regulations and executive orders which relate to harassment and discrimination. Employees must refrain from offensive and inappropriate conduct, especially of a sexual nature, within the workplace. Managers and supervisors are responsible for disseminating and discussing this policy with subordinates and ensuring that the workplace is free from such behavior.

II. PURPOSE

The Louisiana Uniform Construction Code Commission (LUCCC) is committed to providing its employees a work environment free from sexual harassment and other such offensive and abusive behavior. To accomplish this, the LUCCC has formulated this policy to define sexual harassment and conduct of a sexual nature that is prohibited in the workplace, and the procedure for effectively reporting conduct which is offensive in nature. Employees should realize that the behavior proscribed by this policy includes words and conduct that are inappropriate, offensive or otherwise creates an unpleasant working environment. In other words, any behavior of a sexual nature or connotation which negatively impacts the workforce is prohibited even though such behavior may not constitute actionable sexual harassment as defined by law.

III. APPLICABILITY

This policy applies to all employees of LUCCC, regardless of status, whether classified, unclassified, student, full-time, part-time or temporary.

IV. PROHIBITED CONDUCT AND RESPONSIBILITIES

Sexual harassment can take many forms, including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment can involve behavior by a person of either gender against a person of the same or opposite gender. Sexual harassment may include conduct of any supervisor, manager or administrator towards a subordinate employee, or conduct of one employee towards another employee of equal or greater rank. It may also include words or conduct by a vendor, client or visitor to the LUCCC. Finally, an employee may be the victim of sexual harassment because he/she has been affected by inappropriate behavior by or towards a co-worker even though he/she may not be the target of such behavior.

1. **As defined by law, unwelcome sexual words or conduct may constitute sexual harassment when**:

   a. Submission to such conduct is explicitly/implicitly a term or condition of employment; or

   b. Submission to or rejection of such conduct is used as a basis for employment decisions (i.e. continued employment, evaluations, wages, advancements, assigned duties, shifts or any other condition of employment or career development); or

   c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

2. **Inappropriate, unacceptable words or conduct which may constitute sexual harassment include, but are not limited to, the following:**

   a. Unwelcome sexual flirtations, advances or propositions;

   b. Unwelcome sexual teasing, jokes, remarks or inquiries;

   c. Unwelcome sexual looks or gestures;

   d. Verbal or written abuse of a sexual nature;

   e. Requests for sexual favors;

   f. Graphic, verbal or sexual comments about an individual or to describe an individual's body;

   g. Unwelcome physical contact (i.e. touching, rubbing, leaning over, brushing, pinching);

   h. Degrading words and demeaning or inappropriate terms (i.e. referring to a person as "Babe", "Honey", etc.);

   i. Sexual or insulting noises;

   j. Using crude and offensive language;

   k. Discussing sexual activities or exploits;

   l. Inappropriate commenting on a person's attributes; and/or

   m. Displaying sexually suggestive objects, statements, graffiti, books, magazines, photographs, cartoons or pictures.

   Employees are reminded that the verbal and physical behavior proscribed herein is always inappropriate in the workplace and hence, a violation of LUCCC policy, although such behavior may not be actionable in a court of law as a civil action. The totality of the circumstances will be considered, including the pervasiveness, offensiveness and unwelcome nature of the conduct. Each situation must be addressed on a case-by-case basis.

V. RESPONSIBILITY

It is the responsibility of all agency employees, regardless of rank, status, or authority, to ensure compliance with this policy.

VI. PROCEDURES

1. **<u>Complaint Procedure</u>**

   Any employee experiencing, witnessing or having knowledge of sexual harassment or other inappropriate behavior by anyone associated with the LUCCC, including any manager,

supervisor, administrator, co-worker, vendor, client or visitor, shall immediately report the inappropriate conduct. Any such complaint may be made verbally or in writing. Under most circumstances, complaints should be made to the employee's supervisor. If the complaint involves the employee's supervisor or someone within the direct line of supervision, or if the employee, for any reason, is uncomfortable in reporting to his/her supervisor, he/she may contact the Appointing Authority or the Human Resources Office.

2. **Investigation of Complaint**

   a. All reports of sexual harassment or other inappropriate behavior shall immediately be reported to the Appointing Authority who generally will direct the investigatory process.

   b. The LUCCC will investigate all complaints. Informal complaints or requests to withhold investigation (unless or until a future occurrence) will be treated the same as a formal complaint and investigated immediately.

   c. To prevent further occurrences or to preserve the integrity of the investigation, temporary reassignment, transfers, forced leave or other personnel actions permissible under the Civil Service Rules may be utilized.

   d. The investigation will be thorough and include interviews with the complainant, the accused, witnesses and other individuals possessing relevant information. Records, logs, reports or other documentation pertinent to the investigation will be reviewed.

   e. The investigative process will generally be memorialized, thus requiring that all involved prepare written statements or provide verbal statements that will be recorded.

   f. Persons called upon during the investigation are required to answer all questions truthfully and cooperatively.

   g. The investigative process will be conducted expeditiously and professionally, with appropriate emphasis on the rights of all involved.

   h. The investigative process will also be conducted in a confidential manner, with only those in a need-to-know position involved.

   i. The complaining employee and accused will be apprised of the outcome of the investigation, with appropriate emphasis on the rights of all involved.

3. **Complaint Resolution**

   a. Any employee found, after appropriate investigation, to have engaged in sexual harassment or other inappropriate behavior will be disciplined in accordance with applicable law and the Civil Service Rules. Such action may include counseling, reprimand, suspension, demotion, reduction in pay, or termination.

   b. In addition to disciplinary action, other appropriate measures, including follow-up inquiries and re-training, will be utilized to ensure that the inappropriate behavior does not recur.

4. **Non-Retaliation**

   a. Any employee making a good faith complaint of sexual harassment or other inappropriate behavior will be protected from retaliation, reprisal and harassment. Likewise, any employee providing information or otherwise participating in the investigation of such a complaint will be protected from retaliation, reprisal and harassment.

b. If a complaint is made and the investigation reveals that retaliation, reprisal or harassment has occurred against a complaining employee or anyone participating in the investigative process, appropriate, severe disciplinary action will be taken, including the possibility of termination from the classified service.

VII. TRAINING AND REPORTING

All new employees are provided with and confirm acknowledgment of this policy and are required to complete the Preventing Sexual Harassment Training via the Louisiana Employees Online (LEO) system within 90 days of hire. Any questions resulting from reviewing this policy and completing this training should be directed to the employees' immediate supervisor or the Human Resources Director.

All agency employees are required to complete the Preventing Sexual Harassment training via LEO on an annual basis. Additionally, supervisors are required to complete the Preventing Sexual Harassment for Supervisors training via CPTP.

All training activities are to be documented and maintained by the Human Resources Director, who will submit a report of completion for the agency to the Department of State Civil Service on an annual basis. These reports are retained in the agency according to the records retention schedule.

VIII. FEDERAL AND STATE LAWS

This policy is intended to supplement rather than replace or supersede the private and/or statutory procedures regarding sexual harassment available to employees under state and federal law, including Title VII of the Civil Rights Act of 1964 and *La. R.S. 23:331 et seq*. Employees should be aware of the time delays and requirements of law which require the filing of a complaint with the Equal Employment Opportunity Commission or the Louisiana Commission on Human Rights. This information is posted and available from the Human Resources Office.

IX. QUESTIONS/COMMENTS

Questions or comments concerning sexual harassment or the application or enforcement of this policy should be addressed to the Human Resources Office or Appointing Authority. To the extent possible, such inquiries will be maintained in strict confidence. Employees are reminded that complaints will be appropriately investigated notwithstanding the employee's request that no action be taken or that the investigation be delayed.

Brad Hassert (Aug 6, 2026 06:39:41 CDT)

Bradley Hassert, Executive Director

08/06/26

Date

LUCCC PP01 Prohibition of Sexual Harassment Policy

Final Audit Report 2026-08-06

Created:	2026-08-06
By:	Nikki Lopez (nlopez@lslbc.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJJHrnVA08Y_wj58vaFfUAEwHrXPqDMOL

"LUCCC PP01 Prohibition of Sexual Harassment Policy" History

Document created by Nikki Lopez (nlopez@lslbc.gov)
2026-08-06 - 11:35:17 AM GMT

Document emailed to Brad Hassert (BHassert@lslbc.gov) for signature
2026-08-06 - 11:35:21 AM GMT

Email viewed by Brad Hassert (BHassert@lslbc.gov)
2026-08-06 - 11:36:01 AM GMT

Document e-signed by Brad Hassert (BHassert@lslbc.gov)
Signature Date: 2026-08-06 - 11:39:41 AM GMT - Time Source: server - Signature Appearance Selected: DRAW

Agreement completed.
2026-08-06 - 11:39:41 AM GMT

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