

## UNLAWFUL WORKPLACE HARASSMENT POLICY SUMMARY OF REVISIONS

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- 12-1-80 Sexual Harassment Policy adopted.
- 4-1-83 Expands the State's definition of sexual harassment so that the definition can be in conformity with the Federal Guidelines.
- 8-1-95 New policy on workplace violence.
- 12-10-98 Policy developed to conform to legislation. Also incorporated Sexual Harassment Policy into the Unlawful Workplace Harassment Policy.
- 8-19-99 Removed the phrase "in any form" from the first sentence of the purpose statement.  
 In the Definition section, (a) redefined the term retaliation to read "adverse treatment" as opposed to "adverse action" and (b) added the word "alleged" to the third advisory note.  
 In the Grievance Procedures and Appeals section, (a) added the following sentence to item number 2, "The employing agency shall provide a written response to the grievant when the agency has determined what action, if any, will result from the grievant's written complaint", and (b) in item number 3, changed "within 30 days" to read "within 30 calendar days".  
 In the Reporting section, added the second and third paragraphs.  
 In the Prevention Plan section (a) added the phrase "or policies and procedures to comply with and implement the law and rules pertaining to unlawful workplace harassment" to the first sentence and the phrase "policies and procedures" to the second sentence,  
 (b) modified item number 4 (b) to read "grievant right to bypass any step in the applicable agency procedure involving review of or decisions by the alleged harasser", and (c) modified item number 6 to read "Method for implementing appropriate disciplinary actions to address unlawful workplace harassment and to assure that disciplinary actions shall be consistently and fairly applied".

- 8-17-00 Added Advisory Note stating that conduct towards an outside vendor or contractor that would constitute unlawful workplace harassment toward an employee could constitute unacceptable personal conduct. Added provisions under Grievance and Appeals stating that agency shall take action within 60 days unless the agency has waived the 60-day period and grievant has acknowledged waiver.
- 6-21-01 Advisory Note on Page 1-19 deleted. Current employees and former employees use the same complaint procedures.
- 7-1-06 Advisory Note deleted in Item No. 2 since this provision has been approved permanently.
- 1-1-12 Genetic information was added to the policy where appropriate to conform to the Genetic Information Nondiscrimination Act of 2008 (GINA)
- 10-1-12 Remove reference to the State Personnel Commission in the Grievance Procedures and Appeals Section. Clarification was added to the policy about filing grievances based on genetic information
- 10-1-14
- Policy statement amended to add sexual harassment discrimination and Retaliation
  - Purpose statement was amended to remove the requirement for agencies to develop policies and was replaced with requirements for agencies to develop strategies to ensure worksites are free from unlawful workplace harassment and retaliation. Strategies must be included in EEO Plan.
  - Definitions were reworded to match definitions provided by U. S. EEOC.
  - “Hostile work environment” and “Quid Pro Quo” definitions were removed since terms are no longer being used in the policy.
  - “Applicants” were included in the “coverage” section of the policy.
  - Grievance Procedures and Appeals section were renamed “complaint process” and refer applicants and employees to the “Employee Grievance Policy”.
  - The “reporting” section was removed from the policy.
  - The section on “prevention plans” was renamed “prevention strategies”
- 4-4-19
- In alignment with Executive Order #24, the EEO policy was amended to add sexual orientation, gender identity and expression, and Veteran/National Guard status to the list of protected groups. Approved at the SHRC meeting on 4/4/2019.
  - In addition, definitions removed from the policy. The definitions will be expanded and provided as a supplemental document.
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