

## I. GENERAL EMPLOYMENT POLICIES AND PRACTICES

### **Equal Employment Opportunity Policy**

The Georgia General Assembly is an equal opportunity employer. It is committed to recruit, hire, train and promote Employees without regard to race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy), gender, age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, veteran status, or any other classification protected by state or federal law. Furthermore, the General Assembly will not permit intimidation, harassment, or retaliation against any individual who reports a potential violation of this policy, assists or participates in an investigation under this policy, or opposes harassment prohibited by this policy.

Each Employee is responsible for helping the General Assembly maintain a climate that provides equal opportunity for all. Complaints of discrimination or harassment should be addressed in accordance with the Complaint Procedures outlined in this Handbook.

### **Sexual and Other Unlawful Harassment Policy**

The Georgia General Assembly is committed to providing a safe and respectful environment that is free from unlawful discrimination, including sexual harassment, and from retaliation for exercising rights under this policy. The General Assembly is committed to investigating complaints of discrimination, harassment, and retaliation promptly and thoroughly, regardless of who brings them or against whom they are brought.

**PURPOSE:** The purpose of this policy is to ensure a work environment free of unlawful discrimination and harassment based on race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy), gender, age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, veteran status, or any other characteristic protected under applicable federal, state, or local law.

**APPLICATION:** This policy applies to all members of the General Assembly and all full-time and part-time employees. This policy also applies to contractors, interns, pages, volunteers, lobbyists, and members of the general public during the period in which they either have legislative business at the state capitol or are doing legislative business with the Senate, the House of Representatives, or a joint office (“third-parties”).

**DEFINITION OF SEXUAL HARASSMENT (Applies to Those Within the Employer/Employee Relationship)**: Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

1. Submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment.
2. Submission to or rejection of the advance, request or conduct is used as a basis for employment decisions.
3. Such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment.

**DEFINITION OF SEXUAL HARASSMENT (Applies to All Applicable Persons)**

Additionally, the General Assembly will not tolerate any form of sexual harassment by or against members, employees, and third parties, regardless of whether the harassment is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually-related comments or jokes, unwelcome sexual advances or requests for sexual favors).
- Physical (for example, assault or inappropriate physical contact such as patting, pinching, or intentionally brushing against a person's, body).
- Visual (for example, displaying sexually suggestive posters cartoons or drawings, sending inappropriate adult-themed gifts, leering, making sexual gestures, or making unwelcome visits to a person's home or hotel room).
- Online (for example, derogatory statements or sexually suggestive postings on any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

This list is illustrative only, and not exhaustive. No form of sexual harassment will be tolerated.

**DEFINITION OF DISCRIMINATORY HARASSMENT (Applies to All Applicable Persons)**

Discriminatory harassment is a form of employment discrimination that violates Title VII of the federal Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), or the Americans with Disabilities Act of 1990 (ADA). Offensive conduct may include, but is not necessarily limited to:

- Offensive jokes, slurs, epithets or name calling
- Physical assaults or threats
- Intimidation, ridicule or mockery
- Insults or put-downs
- Offensive objects or pictures
- Interference with work performance.

Petty slights, annoyances, and isolated incidents (unless extremely serious) do not rise to the level of a violation. To be in violation, the conduct must create a work environment that would be intimidating, hostile, or offensive to a reasonable person.

**REPORTING COMPLAINTS:** If any employee, member or third-party (as defined by this policy) is subjected to conduct that he or she believes violates this policy or witnesses any such conduct, he or she must promptly report the incident to one of the following individuals:

- Legislative Fiscal Officer
- Clerk of the House
- Secretary of the Senate
- Senate Chair of Administrative Affairs or House Chair of Ethics Committee

Other supervisory personnel who receive a complaint alleging discrimination, harassment, or retaliation or have personal knowledge of conduct that may violate this policy must immediately report any such event to the Fiscal Officer or to any of the other abovementioned individuals.

Initial reports of complaints may be verbal, but reports will eventually have to be in writing. They should be as detailed as possible, including the names of all individuals involved and any witnesses.

**INVESTIGATIONS:** Complaints will be reported to the Chair of the Senate Ethics Committee for allegations involving Senators and Senate Staff, the Chair of the House Ethics Committee for allegations involving Representatives and House Staff, or the Chair of the Legislative Services Committee for allegations involving joint offices and third-parties. The respective Chair will either appoint a sub-committee to investigate the complaint or hire an outside third-party.

The appointed committee or person will directly and thoroughly investigate the facts and circumstances of all claims of perceived harassment. If necessary, protective measures will be taken for the safety of the parties and any other impacted employees.

**CORRECTIVE ACTION:** If the investigation reveals a violation of the policy, prompt corrective action will be taken to stop the discrimination, harassment, or retaliation and to prevent its recurrence. Actions taken will be based on the individual circumstances of the situation and may include counseling, discipline, sanctions, termination, or revocation. An employee, member, or third-party may be subjected to disciplinary action or other corrective actions for violations of this policy, even if such conduct is not a violation of state or federal law.

If the investigation does not support a finding that this policy has been violated, the individual making the report and the individual against whom the allegation was made shall be so advised. Both will be advised that retaliation for making the report is prohibited.

**CONFIDENTIALITY:** Confidentiality of the parties involved in a complaint or investigation will be maintained to the greatest extent possible without compromising the thoroughness of the investigation.

**NO RETALIATION:** No one will be subject to, and the General Assembly prohibits, any form of discipline, reprisal, intimidation or retaliation for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim or cooperating in related investigations. Adverse actions taken in retaliation against an individual for reporting sexual harassment or other unlawful discrimination or for participating in an investigation of a claim of harassment or discrimination constitute a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. An individual making a report shall be advised of the prohibition against retaliation at the time the individual makes the complaint.

**ADMINISTRATION OF THIS POLICY:** The Legislative Fiscal Officer is responsible for the administration of this policy. If you have any questions regarding this policy or questions about harassment that are not addressed in this policy, please contact the Office of the Legislative Fiscal Officer.

**TRAINING:** All members, employees, and third-parties are required to participate in training on this policy as follows:

- Members will receive mandatory training on this policy every two years at the Georgia General Assembly Biannual meeting or as required by the House or Senate rules.
- Full-time and part-time employees of the Joint Offices will be trained by the Legislative Fiscal Officer within three months of beginning their employment.
- Senate and House sessions employees, interns, volunteers, and aides will be trained by the appropriate administrator of the Senate or House bodies within one week of starting their employment.
- Lobbyists will receive a copy of this policy when they register each year with the State Ethics Commission.

Each member, employee and third-party shall acknowledge their receipt of this policy and participation in such training (where applicable), a record of which will be maintained by the Legislative Fiscal Officer and available to the public. The training will be updated annually to reflect changes in the current law.