



Sexual Harassment Policy

I. Policy Statement

The Louisiana Motor Vehicle Commission is committed to providing a work environment free from sexual harassment and discrimination. All employees deserve to be treated with respect and dignity. Sexual harassment is a violation of [Title VII of the Civil Rights Act of 1964](#) and [Louisiana Employment Discrimination Law](#). This policy applies to all employees, officials, contractors, and visitors, regardless of rank or gender.

II. Prohibited Conduct

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, digital, or inappropriate conduct of a sexual nature. Such conduct is strictly prohibited when:

1. Submission to the conduct is made an explicit or implicit condition of employment.
2. Submission to or rejection of the conduct affects employment decisions.
3. The conduct unreasonably interferes with work performance or creates an intimidating, hostile, or offensive work environment.

Examples of prohibited conduct include:

- **Verbal:** Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, or threats.
- **Non-Verbal:** Suggestive or insulting sounds, leering, whistling, obscene gestures, or displaying sexually suggestive objects or pictures.
- **Physical:** Unwelcome physical contact, touching, blocking normal movement, assault, or coerced sexual acts.

Witnessed, Overheard, or Indirect Conduct

Sexual or sex-based conduct does not have to be directed at the employee who is affected by it. An employee who witnesses, overhears, sees, receives, or is otherwise exposed to inappropriate sexual or sex-based comments, jokes, conversations, images, messages, gestures, or other conduct involving another person may experience or report harassment. Such conduct may violate this policy and may contribute to or create an intimidating, hostile, or offensive work environment depending on the nature, severity, frequency, context, and totality of the circumstances. Employees should not assume

conduct is acceptable merely because it is not directed at them, occurs between other individuals, or is intended to be private but is visible or audible in the workplace.

Examples include sexual jokes or explicit conversations that can be overheard; discussions about another person's body, sexual activity, or private relationships; sexually suggestive images, videos, memes, text messages, emails, or chat messages visible to others; and sexual or sex-based comments made in meetings, common areas, agency vehicles, telephone or video calls, or other work-related settings.

III. Mandatory Training

Pursuant to Louisiana law, all public employees (including unclassified and classified staff) and elected officials must complete a minimum of **one hour of education and training on preventing sexual harassment** every calendar year. New hires must complete this training within 90 days of their appointment. The Louisiana Motor Vehicle Commission is required to compile and maintain compliance records for public audit.

IV. Reporting Procedure

If you experience or witness sexual harassment, you should report it immediately. Delays in reporting can hinder investigations. You are encouraged to follow this procedure:

1. **Report to your Supervisor:** Bring the incident to the attention of your direct supervisor or department head.
2. **Alternate Reporting:** If your supervisor is the alleged harasser, or if you feel uncomfortable reporting to them, contact the Human Resources (HR) Department directly.
3. **Submit a Written Complaint:** While verbal reports are accepted, employees are strongly encouraged to submit a written complaint detailing the date, time, location, individuals involved, and any witnesses.

V. Investigation

The agency will take all complaints and reports of sexual harassment seriously. Complaints will be reviewed promptly and investigated in a timely, thorough, and impartial manner.

The agency will make reasonable efforts to protect the privacy of all individuals involved and will maintain the confidentiality of complaints and investigations to the greatest extent practicable and consistent with applicable law. Information obtained during an investigation will be shared only with individuals who have a legitimate business or legal need to know in order to conduct a fair and thorough investigation, comply with legal obligations, or take appropriate corrective action. Because a complete investigation may require interviewing the complainant, the respondent, and witnesses, or reviewing relevant evidence, the identity of the complainant and details of the allegations may be disclosed as necessary during the investigation.

At the conclusion of the investigation, the agency will determine whether this policy has been violated based on the facts and evidence gathered. If a violation is substantiated, the agency will take prompt and appropriate corrective action, which may include disciplinary action up to and including termination of employment, in accordance with applicable law and agency policy.

VI. Prohibition Against Retaliation

Retaliation against any individual who complains of sexual harassment, participates in an investigation, or opposes discriminatory practices is strictly prohibited by law. Anyone engaging in retaliation will face disciplinary action up to and including termination.

VII. Disciplinary Action

Any employee who violates this policy will be subject to disciplinary action, up to and including dismissal, in accordance with state civil service rules and agency regulations. Non-employees (e.g., vendors or contractors) who engage in harassment may have their business relationships with the agency terminated.

VIII. Additional Workplace Standards and Prevention Responsibilities

To promote a professional, respectful, and non-hostile work environment, the following standards apply in addition to the conduct specifically identified above. The agency may address inappropriate conduct under this policy before it rises to the level of unlawful harassment. Conduct does not need to satisfy the legal standard for a hostile work environment before corrective or disciplinary action may be taken under agency policy.

Work-Related Settings: This policy applies to conduct occurring on agency premises and in other work-related settings, including official travel, conferences, training, meetings, agency vehicles, work-sponsored events, remote work, telephone or video calls, email, text messages, messaging platforms, and other electronic or online communications connected to the workplace.

Conduct by Any Person: Harassment may be committed by or directed toward an employee, supervisor, manager, official, contractor, vendor, visitor, customer, or other third party. The individuals involved do not have to be of different sexes or genders.

Sex-Based Conduct: Prohibited conduct may include offensive remarks, stereotypes, insults, or other unwelcome conduct based on a person's sex, even when the conduct is not sexual in nature or is not motivated by sexual desire.

Intent Does Not Control: A person's intent, belief that a comment was a joke, or belief that others were comfortable with the conduct does not determine whether the conduct is appropriate. The impact, context, and surrounding circumstances will be considered.

No Requirement to Confront the Harasser: While an employee is not restricted from addressing inappropriate conduct that he or she is experiencing, an employee is not required to confront the person engaging in the conduct before making a report.

Employees who experience, witness, overhear, or otherwise become aware of conduct that may violate this policy are encouraged to report it promptly through the reporting procedures above.

Supervisor and Manager Responsibility: Supervisors and managers who witness conduct that may violate this policy or who receive a complaint, report, or other information suggesting possible sexual harassment must promptly notify the appropriate agency official or Human Resources so that the matter can be addressed. Supervisors and managers should not promise absolute confidentiality or attempt to resolve a report informally in place of required agency reporting.

Cooperation and Preservation of Information: Employees are expected to cooperate truthfully in agency investigations and to preserve relevant information, including emails, text messages, photographs, recordings, notes, or other records that may relate to a reported incident. Employees should not alter, delete, conceal, or destroy potentially relevant information after becoming aware of a complaint or investigation.

Professional Workplace Expectations: Employees are expected to exercise good judgment and maintain professional boundaries in workplace communications and interactions. Sexual jokes, explicit discussions, sexually suggestive materials, repeated comments about a person's appearance or private relationships, and similar conduct should be avoided in the workplace and in work-related communications.

Retaliation Includes Indirect Conduct: Retaliation may include adverse treatment, intimidation, threats, exclusion, ridicule, changes in work assignments, interference with employment opportunities, or other conduct taken because an individual made a good-faith report, opposed harassment, provided information, or participated in an investigation. Retaliation is prohibited regardless of whether the underlying complaint is ultimately substantiated.