

SEXUAL HARASSMENT POLICY

The Maryland State Highway Administration (SHA) is committed to creating a workplace void of all unlawful discrimination and which more specifically is free from harassment or intimidation based upon sex.

This policy applies uniformly to all departmental employees, programs and activities. It prohibits any form of unwanted advances of a sexual nature by supervisors, co-workers and clients. This policy also prohibits the granting of preferences or denial of opportunities or benefits because of an individual's submission to or rejection of these sexual advances and prohibits any conduct that creates a hostile or intimidating work environment.

Examples of conduct that could constitute sexual harassment and are prohibited by this policy include, but are not limited to:

1. Unwelcome; unwanted; unsolicited propositions.
2. Suggestive remarks, gestures, or jokes of a sexual nature.
3. Unwelcome and intentional physical behavior such as kissing, hugging, pinching or brushing up against another individual.
4. Displaying or circulating photographs or other materials and objects that are sexually suggestive or that demean or display hostility toward an individual because of that individual's gender.
5. Any other unlawful verbal, non-verbal or physical advances and/or harassment will not be tolerated.

Any SHA employee who feels that she or he is a victim (either directly or indirectly) of sexual harassment, should, immediately advise her or his supervisor, Equal Opportunity Designee/Liaison or the SHA Office of Equal Opportunity, and may file a complaint of discrimination alleging sexual harassment. Complaints will be taken very seriously. They will be investigated immediately and handled as confidentially as possible. Specific provisions for processing and investigating complaints of discrimination and procedures for investigating complaints alleging sexual harassment may be found in the Transportation Service Human Resources Procedure manual (TSHRS) Section 11D – "Processing and Investigating Complaints of Discrimination." You may obtain copies of the State of Maryland's Sexual Harassment Awareness and Prevention Policy from the Office of Equal Opportunity.

Swift and appropriate disciplinary actions, up to and including termination, will be taken against any SHA employee found to have sexually harassed any other SHA employee or beneficiary of SHA services. As with other complaints of alleged discrimination, retaliation against or interference with individuals filing a complaint or participating in an investigation, is also strictly prohibited.

Please refer questions related to this policy to the attention of Sharon Lynn Holmes, Deputy Director Office of Equal Opportunity, 211 E. Madison Street. MLL3, Baltimore, Maryland 21202. Toll free: 1-888-545-0098, 410-545-5010

WHERE TO GO FOR HELP:

STATE HIGHWAY ADMINISTRATION

Office of Equal Opportunity

Sharon Lynn Holmes, Deputy Director

211 E. Madison Street. MS LL3

Baltimore, Maryland 21202

Toll Free:1-888-545-0098, Direct: 410-545-5010

DISTRICT 1 OFFICE

Linda Bloodsworth, EO Officer

660 West Rd. (P.O. Box 751)

Salisbury, MD 21801

410-677-4089

DISTRICT 2 OFFICE

Brandee Vaughn, EO Officer

625 Morgnac Rd., Rt.-291

Chestertown, MD 21620

410-810-3272

DISTRICT 3 OFFICE

EO Officer, (Vacant)

9300 Kenilworth Drive

Greenbelt, MD 20770

301-513-7484

DISTRICT 4 OFFICE

Pamela Perez, EO Officer

320 W. Warren Road

Hunt Valley, MD 21030

410-321-2448

MARYLAND COMMISSION ON CIVIL RIGHTS

6 St. Paul Street

Baltimore, Maryland 21202

410-767-8600 TTY 410-333-1737

DISTRICT 5 OFFICE

EO Officer, (Vacant)

138 Defense Highway

Annapolis, MD 21401

410-841-5450

DISTRICT 6 OFFICE

EO Officer, (Vacant)

1251 Vocke Road

LaVale, MD 21502

410-321-2448

DISTRICT 7 OFFICE

Cheryl Randow, EO Officer

5111 Buckeystown Pike

Frederick, MD 21701

301-624-8134

THE HANOVER COMPLEX

EO Officer, (Vacant)

7491 Connelley Drive

Hanover, MD 21076

410-787-7603

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

10 South Howard Street, 3rd Floor

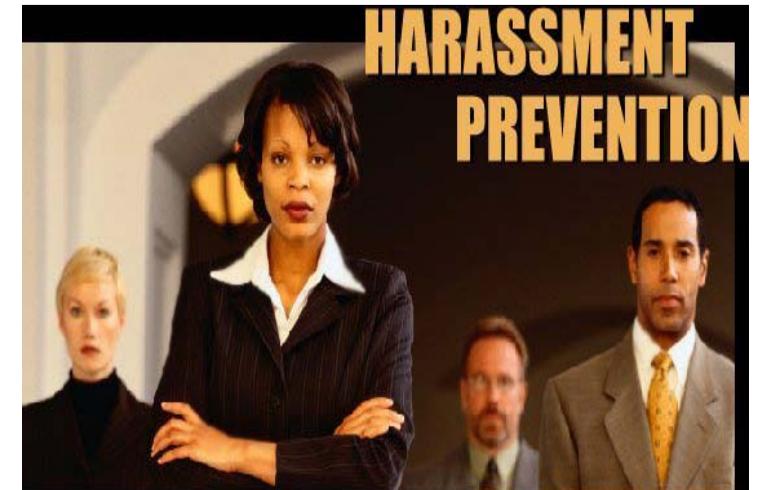
Baltimore, Maryland 21201

410-962-3932 TTY 410-962-6065

STATE OF MARYLAND State Highway Administration



“Sexual Harassment Prevention & Awareness”



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
Beverly K. Swaim-Staley, Secretary of Transportation
Melinda B. Peters, State Highway Administrator

WHAT IS SEXUAL HARASSMENT?

Sexual Harassment is:

Unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The Law is:

Sexual harassment is a violation of Section 703 of Title VII of the Civil Rights Act of 1964, as amended, Article 49B of the Annotated Code of Maryland, the Governor's Code of Fair Employment Practices – Executive Order 01.01.1995.19 and §3 of the State Personnel Article.

The State Highway Administration specifically prohibits sexual harassment against SHA employees, customers or beneficiaries of SHA services and the public we serve. The State Highway Administration adheres to and enforces The State of Maryland's Sexual Harassment Policy and Procedures.

Types of activities and/or behavior that could constitute sexual harassment:

- Unwanted; unwelcome; unsolicited propositions.
- Requests for sexual favors.
- Lewd or suggestive remarks.
- Discussions of sexual activities or comments on physical attributes.
- Unwanted or offensive touching or brushing up against another's body.
- Displaying sexually explicit written materials, pictures or cartoons.
- Granting job favors or benefits to those who refuse to participate in sexual activities.
- Denying job opportunities or benefits to those who refuse to participate in sexual activities.
- Denying qualified employees employment opportunities or benefits granted another employee who participated in the sexual activity.

POINTS TO REMEMBER:

- Sexual harassment is about the use and abuse of power to affect an individual's working environment or receipt of benefits.
- A man as well as a woman may be a victim of sexual harassment (the law applies to all forms of sexual harassment, including same sex harassment).
- Sexual harassment affects everyone through loss of respect, dignity, motivation and productivity.



GUIDELINES:

Once a complaint is brought to your attention, the law requires you to take immediate corrective action. Below are some steps you can follow when an employee brings a complaint to your attention:

STEP 1: Put the employee at ease. It's important to be sympathetic concerning the employee's state of mind and to do everything in your power to put her or him at ease.

- Make sure the meeting is held in private.
- Be considerate, make it clear that the employee has your undivided attention.
- Encourage the employee to tell you what happened at her or his own speed and words.

STEP 2: Take every complaint seriously, do not treat the employee's complaint as frivolous.

- Listen without passing judgement or jumping to conclusions.
- If the employee wishes to file a complaint, provide him or her with the necessary form(s) and whatever help or instruction might be needed.
- Don't try to distract the employee or lighten the mood by making humorous remarks.....they might be misinterpreted.

STEP 3: Write the facts down and assure the employee that you will investigate. Take written notes on the following: (It is the responsibility of SHA's Office of Equal Opportunity or EO Designee to investigate complaints)

- The specifics-dates, times, and places where the alleged incidents occurred.
- Exactly what happened.
- Whether there were any witnesses to the events.

STEP 4: Investigate. Notify the Administration's EO Designee or Office of Equal Opportunity who has the responsibility to fully investigate complaints.

- They will speak with the alleged harasser and any witnesses to the incident(s) in question.
- If at all possible, keep the identities of everyone involved confidential.

STEP 5: Notify the Administration's EO Designee or Office of Equal Opportunity. Upon investigation completion they will take appropriate and immediate corrective action.

STEP 6: Follow-up to make sure that whatever action you have taken has had the desired effect.