

## NON-DISCRIMINATION AND ANTI-HARASSMENT

**Burnet County strives to be an employer of choice and endeavors to provide an optimal work environment and experience for County employees, free of discrimination and harassment.**

### NON-DISCRIMINATION

Protections against discrimination provided to employees under state and federal law are detailed in the table below. These protections and the expectation of compliance apply to all employees and officials, regardless of their position. Contact Human Resources for more information.

Employment Law	Coverage	References
Title VII Civil Rights Act (1963)	Prohibits employment discrimination based on race, color, religion, sex or national origin.	<ul style="list-style-type: none"> <li>View EEOC Know Your Rights: Workplace Discrimination is illegal poster <a href="#">here</a></li> </ul>
Civil Rights Act (1991)	Provides amendments to 1963 Act to strengthen civil rights laws and deter unlawful harassment and discrimination in the workplace.	
Equal Pay Act (EPA)	Protects against sex-based wage discrimination for performance of substantially the same work in the same establishment.	<ul style="list-style-type: none"> <li>The EPA is an amendment within the FLSA, under enforcement of the EEOC</li> <li>View EEOC information on Equal Pay and Compensation Discrimination <a href="#">here</a></li> </ul>
Fair Labor Standards Act (FLSA)	Establishes minimum wage, overtime pay, recordkeeping and youth employment standards.	<ul style="list-style-type: none"> <li>View FLSA Employee Rights poster <a href="#">here</a></li> <li>See related policies in Employment and Compensation sections within this policy manual</li> </ul>
Age Discrimination in Employment Act (ADEA)	Provides protection against discrimination in employment for employees 40 years of age or older.	<ul style="list-style-type: none"> <li>See information on age discrimination on the Department of Labor (DOL) website <a href="#">here</a></li> </ul>
Americans with Disabilities Act (ADA, 1990)  Americans with Disabilities Act Amendments Act (ADAAA, 2008)	Prohibits discrimination in recruitment, hiring, training, promotion, and compensation based on candidate or employee disability. Requires employers make reasonable accommodation to the known limitations of otherwise qualified individuals with disabilities, unless the accommodation will cause the employer an undue hardship	<ul style="list-style-type: none"> <li>Information and resources can also be found at <a href="http://www.ADA.gov">www.ADA.gov</a></li> <li>A Reasonable Accommodation Request Form may be found <a href="#">here</a></li> </ul>

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Pregnant Workers Fairness Act (PWFA)	Requires employers to provide reasonable accommodations for limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship	<ul style="list-style-type: none"> <li>• View PWFA poster <a href="#">here</a></li> <li>• View tips for Tips for Asking for Reasonable Accommodation <a href="#">here</a></li> <li>• A Reasonable Accommodation Request Form may be submitted to Human Resources</li> </ul>
Genetic Information Nondiscrimination Act (GINA)	Protects individuals against employment discrimination based on genetic information, such as genetic test results and family medical history.	<ul style="list-style-type: none"> <li>• View a fact sheet on GINA <a href="#">here</a></li> </ul>
Creating a Respectful and Open World For Natural Hair (CROWN) Act	Prohibits discrimination in employment, education, and housing based on hair texture or protective hairstyles associated with race.	<ul style="list-style-type: none"> <li>• See information on the Crown Act at the Anti-Defamation League (ADL) website <a href="#">here</a></li> </ul>
Uniformed Services Employment and Reemployment Act (USERRA)	Protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service.	<ul style="list-style-type: none"> <li>• View USERRA poster <a href="#">here</a></li> <li>• See Civil Leave policy for guidance on military leave request</li> <li>• See FMLA Military Exigency and Caregiver policy sections related to deployment or servicemember injury of a qualifying family member</li> </ul>
The Texas Whistleblower Act	Provides protection for public employees who report violations of law by their employer. An employer may not suspend, terminate, or take other adverse personnel action against a public employee in retaliation to a report under the Act.	<ul style="list-style-type: none"> <li>• See Texas Legal Code, Chapter 554 Protection for Reporting Violations of Law</li> <li>• Visit <a href="http://www.whistleblowers.gov">www.whistleblowers.gov</a></li> </ul>

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### ANTI-HARRASSMENT

Harassment is prohibited by law and is not tolerated by Burnet County. Prompt and appropriate action will be taken in response to complaints, reports, or knowledge of violations of this policy.

<b>Definition of Harassment</b>	<p>Harassment is defined as repeated, unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age (40 and older), disability, or genetic information (including family medical history), or in retaliation for filing a charge or participating in an investigation or proceeding under one of the above-mentioned employment laws.</p> <p>Actions that constitute harassment may include any unwelcome conduct that belittles, shows hostility, or ridicule, when such conduct is so severe or pervasive that it unreasonably interferes with an individual's work performance and creates an intimidating, hostile or offensive work environment.</p>
<b>Sexual Harassment</b>	<p>Sexual harassment is prohibited and is an unlawful employment practice in violation of Title VII of the Civil Rights Act of 1964. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:</p> <ul style="list-style-type: none"> <li>• Submission to such conduct is made either explicitly or implicitly a term or Condition of an individual's employment.</li> <li>• Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive work environment.</li> <li>• Off-duty actions may constitute sexual harassment.</li> </ul>
<b>Examples of Sexual Harassment</b>	<ul style="list-style-type: none"> <li>• Unwelcome sexual advances, propositions, sexual comments or suggestive or lewd remarks.</li> <li>• Physical assaults or other physical conduct of a sexual nature, including unwanted hugs or touches.</li> <li>• Sexual displays or publications anywhere in the workplace, including derogatory or pornographic posters, pictures or drawings.</li> </ul>
<b>Other Types of Harassment</b>	<p>Verbal: includes insults, slurs, name-calling, offensive remarks, jokes, and profanity.          Visual: can consist of sending or displaying offensive images or messages.          Physical: blocking movement, threats of harm, intimidating gestures, or assault.</p>
<b>Employee Responsibility</b>	<p>Each official, department head, supervisor, and employee has the responsibility to maintain a work environment free of such harassment and to report or file a complaint as soon as possible. Officials and employees involved in a sexual harassment situation are required to cooperate in any investigation that occurs.</p>

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Harassment Reporting	<p>Employees who believe they have been sexually harassed should report their complaint immediately. Verbally inform one of these individuals.</p> <ul style="list-style-type: none"><li>• Their supervisor</li><li>• The next level of management above their supervisor</li><li>• The Human Resources Department</li></ul> <p>All harassment complaints received by any elected official, department head, or supervisor must be immediately reported to Human Resources. All complaints will be investigated. Violations may result in disciplinary action up to and including termination of employment.</p>
Disciplinary Measures	<p>Where an investigation reveals that allegations of unwelcome harassment are true, appropriate remedial action, including discipline, will be taken. All disciplinary measures will be implemented promptly and shall be commensurate with the person's conduct. The remedies vary depending on the entire facts and circumstances found by the investigation.</p>
Retaliation	<p>Retaliation against public employees who report official wrongdoing, including harassment, is prohibited. An employee who reports a violation of the law to an appropriate law enforcement authority cannot be wrongfully suspended or terminated, or otherwise discriminated against or harassed by the County or an Elected Official.</p>