



**Loan Administration Network, Inc.**

## Sexual Harassment In The Workplace

Name: \_\_\_\_\_ Date: \_\_\_\_\_

**EMPLOYEE:** Sexual harassment is prohibited by LANI and is against the law. Every employee and independent contractor should be aware of what sexual harassment is, what steps to take if harassment occurs, and state law prohibiting retaliation for reporting sexual harassment. Please read this information sheet. If you have any questions or concerns about it, contact LANI's Human Resources Department.

### What is Sexual Harassment?

Although many people think of sexual harassment as involving a male boss and a female employee, not all sexual harassment is done by males. Sexual harassment often involves co-workers, other employees of the company or other persons doing business with or for the company. It's against the law for females to sexually harass males or other females, and for males to harass other males or females.

Laws define harassment due to sex as sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical conditions.

- 1. Verbal harassment** – epithets, derogatory comments or slurs.  
**Examples:** Name-calling, belittling, sexually explicit or degrading words to describe an individual, sexually explicit jokes, comments about an employee's anatomy and/or dress, sexually oriented noises or remarks, questions about a person's sexual practices, use of patronizing terms or remarks, verbal abuse, graphic verbal commentaries about the body.
- 2. Physical harassment** – assault, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual.  
**Examples:** Touching, pinching, patting, grabbing, brushing against or poking another employee's body, hazing or initiation that involves a sexual component, requiring an employee to wear sexually suggestive clothing.
- 3. Visual harassment** – derogatory posters, cartoons, or drawings.  
**Examples:** Displaying sexual pictures, writings or objects, obscene letters or invitations, staring at an employee's anatomy, leering, sexually oriented gestures, mooning, unwanted love letters or notes.
- 4. Sexual favors** – unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors.  
**Examples:** Continued requests for dates, any threat of demotion, termination, etc. if requested sexual favors are not given, making or threatening reprisals after a negative response to sexual advances, propositioning an individual.

It is impossible to define every action or all words that could be interpreted as sexual harassment. The examples listed above, along with the state definition of sexual harassment, are not meant to be a complete list of objectionable behavior nor do they always constitute sexual harassment.

### Federal Law

Under federal law, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
3. 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.

### Harassers Are Personally Liable

If you, as an employee, are found to have engaged in sexual harassment, or if you as a manager know about the conduct and condone or ratify it, you may be personally liable for monetary damages. LANI will **not** pay damages assessed against you personally.

In addition, LANI will take appropriate disciplinary measures – termination is one possible action – against any employee who engages in sexual harassment.

### **Sexual Harassment Complaint Procedure**

LANI has a policy against harassment due to sex, which includes sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical conditions. If you are harassed, confront the harasser and ask him/her to stop. If you are unable to confront the harasser or are unsuccessful in doing so, report your complaint immediately as follows:

1. **When possible, confront the harasser and ask him/her to stop.**  
The harasser may not realize the advances or behavior are offensive. When it is appropriate and sensible, you may want to tell the harasser the behavior or advances are unwelcome and must stop. Sometimes a simple confrontation will end the situation.
2. **You are strongly encouraged to report sexual harassment. Contact LANI's Human Resources Department at 888-588-5264.**  
Sexual harassment or retaliation should be reported in writing or verbally. You may report such activities even though you were not the subject of the harassment.
3. **An investigation will be conducted.**  
LANI will investigate, in a discreet manner, all reported incidents of sexual harassment and retaliation.
4. **Appropriate action will be taken.**  
Where evidence of sexual harassment or retaliation is found, disciplinary action, up to and including termination, may result.

### **Protection Against Retaliation**

You will not be retaliated against for filing a complaint and/or assisting in a complaint or investigation process. Further, LANI will not tolerate or permit retaliation by supervisors or co-workers against any complainant or anyone assisting in a harassment investigation.

### **Additional Information**

The Equal Employment Opportunity Commission (EEOC) investigates and prosecutes complaints of prohibited harassment in employment. To contact the commission, consult directory assistance for Washington, D.C. or write to Equal Employment Opportunity Commission, 1801 L Street, NW, Washington, D.C., 20507.

### **Certification by Employee:**

I, \_\_\_\_\_, certify that I have read LANI's Sexual Harassment in the Workplace guidelines and I agree to comply with these rules.