County of Monterey
Board Policy Manual

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Sexual Harassment Policy	P-260	1 of 3
Policy Category Personnel		

I. Purpose

1. To expand upon Chapter 2.80 of the Monterey County Code, the Civil Rights Ordinance.
2. To comply with Federal and State laws, including the Civil Rights Act of 1964 and California's Fair Employment and Housing Act.
3. To create a professional environment where the worth of all people interacting with our County, including our employees, is respected.
4. To operate the County in a manner that is free from sexual harassment.

II. Definitions

Employee: all persons employed by County of Monterey including but not limited to managers, supervisors, Department Heads, frontline or direct services staff, elected officials, appointed officials (including commissioners), unpaid interns and volunteers.

Gender expression: a person's gender-related appearance or behavior, whether or not stereotypically associated with the person's sex at birth.

Gender identity: a person's identification as male, female, a gender different from the person's sex at birth, non-binary, or transgender.

Sex: includes but is not limited to, sexual activity, pregnancy, childbirth, breastfeeding, and any related medical conditions, sex at birth, and gender identity and expression.

Sexual Harassment: a form of predatory sexual behavior in which a person targets others. It is a broad spectrum of conduct, including harassment based on sex, gender, gender identity or expression, sexual stereotype, and sexual orientation. Examples of unlawful and unacceptable behavior include, but are not limited to:

1. Unwanted sexual advances;
2. Offering a benefit (such as a streamlined process, approval, raise, promotion, or career advancement) in exchange for sexual favors or engagement in sexual activity, or threatening a detriment (such as termination, demotion, or denial of

County benefits) for a person's refusal or failure to exchange sexual favors or engage in sexual activity;
3. Visual conduct, such as leering or making sexual gestures, and displaying or posting sexually suggestive objects or pictures, cartoons, or posters;
4. Verbal conduct, such as making sexual advances, propositions, requests, or comments;
5. Sending, soliciting, or posting sexually related messages, videos, or messages via e-mail, text, instant messaging, or social media;
6. Verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations;
7. Physical conduct, such as touching, groping, assaulting, or blocking movement;
8. Physical or verbal abuse concerning an individual's gender, gender identity, or gender expression;
9. Verbal abuse concerning a person's characteristics such as pitch of voice, facial hair, or the size or shape of a person's body, including remarks regarding gender stereotypes, such as commenting that a male is too feminine or a woman is too masculine.

Sex Stereotype: an assumption about a person's appearance or behavior, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex.

Transgender: a descriptive term for a person whose gender identity differs from the person's sex at birth.

III. Background

This revision of the Sexual Harassment Policy is in response to the review requirements of the Board Policy Manual.

IV. Policy

The County of Monterey does not tolerate sexual harassment.

It is the policy of the County to both prevent illegal harassment and create a workplace that is free from all forms of sexual harassment. The County will address sexual harassment quickly and through corrective actions, which may include discipline, up to and including termination.

V. Procedure

Procedures for the implementation of this policy, including how to report sexual harassment, can be found in the County's Nondiscrimination Policy.

Training and Policy Dissemination

All employees shall receive sexual harassment prevention training within (60) sixty days of their employment and every two (2) years thereafter. County officials, Department

Heads, managers, and supervisors shall receive sexual harassment prevention training for supervisors and managers, in compliance with State law.

Upon being promoted to a supervisory or managerial position, the newly promoted employee shall complete the required supervisor/manager training, within (60) sixty days of their promotion, regardless of the date of their most recent sexual harassment training as a non-supervisor employee.

The Civil Rights Office shall be responsible for formulating and coordinating training on this policy for County employees and officials. Each Department Head shall be responsible for ensuring its employees complete the training provided by the Civil Rights Office.

VI. Review Date

a. This Policy will be reviewed for continuance by April 18, 2028.

VII. Board Action

a. Legistar File Number 23-281, April 18, 2023.