



## Harassment, Discrimination, and Retaliation Policy

The Ozark Region Missouri Job Center (MJC) is committed to a work environment in which all individuals are treated with respect and dignity. MJC staff are expected to conduct themselves in a professional manner and to show respect for their co-workers and others. MJC expects that all relationships among staff will be business-like, free of bias, prejudice, and harassment.

MJC has developed this policy to ensure that all staff can work in an environment free from unlawful harassment, discrimination, and retaliation. MJC will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. This policy applies to all work-related settings and activities, whether inside or outside the work place, and includes business trips and business-related social events. Any staff member who has questions about these policies should talk with their immediate supervisors of record, the Director of Workforce Development, or Assistant Director of Workforce Development at the Job Center. This policy does not supersede any partner agency's policy on harassment, discrimination, and retaliation.

Staff of the MJC are expected to treat one another, as well as customers, fairly and equitably regardless of age, ancestry, color, disability, genetic information, military/veteran status, national origin, pregnancy, race, religion, or sex (including sexual orientation and gender identity).

### Sexual Harassment

Definition: 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 or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, 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.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

Missouri Job Center, 2900 East Sunshine  
Springfield, MO 65804

Phone: 417-887-4343

Fax: 417-887-1892

*The Ozark Region Missouri Job Center is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities. Mo TTY users may call 800-735-2966 or contact Missouri Relay at 7-1-1.*



## Ozark Region

### Harassment

Section 188 of WIOA prohibits harassment. According to 29 CFR 38.10, “harassment of an individual based on race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in any WIOA Title I-financially assisted program or activity, is a violation of the nondiscrimination provisions of WIOA and this part.

(a) Unwelcome sexual advances, requests for sexual favors, or offensive remarks about a person's race, color, religion, sex, national origin, age, disability, political affiliation or belief, or citizenship or participation, and other unwelcome verbal or physical conduct based on one or more of these protected categories constitutes unlawful harassment on that basis when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of accessing the aid, benefit, service, or training of, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity;

(2) Submission to or rejection of such conduct by an individual is used as the basis for limiting that individual's access to any aid, benefit, service, training, or employment from, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's participation in a WIOA Title I-financially assisted program or activity creating an intimidating, hostile or offensive program environment.

(b) Harassment because of sex includes harassment based on gender identity; harassment based on failure to comport with sex stereotypes; harassment based on pregnancy, childbirth, and related medical conditions; and sex-based harassment that is not sexual in nature but that is because of sex or where one sex is targeted for the harassment. “

Definition: verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her age, ancestry, color, disability, genetic information, military/veteran status, national origin, pregnancy, race, religion, or sex (including sexual orientation and gender identity), or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the premises or circulated in the Job Center, on Job Center time or using Job Center equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

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## Reporting

MJC staff and customers may report discrimination complaints to the Local Equal Opportunity Officer, Karen Dowdy, Phone 417-887-4343; email: [kdowdy@springfieldmo.gov](mailto:kdowdy@springfieldmo.gov), or Danielle Smith, State EO Officer, Phone 573-751-2428; email: [danielle.smith@dhewd.mo.gov](mailto:danielle.smith@dhewd.mo.gov). Or you may report complaints to the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at [www.dol.gov/crc](http://www.dol.gov/crc). Individuals may also report harassment to the Local EO Officer, the State EO Officer, or the CRC at the addresses listed above.

MJC encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often, this action alone will resolve the problem.

MJC encourages reporting of all perceived incidents, whether experienced or witnessed, of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Staff should follow the procedures of reporting such activities according to their employer of record's established procedures. If unsure, the staff member should report it to their supervisor of record, Director, or Human Resources.

Each agency housed in the MJC shall be expected to thoroughly investigate all reports of harassment as discreetly and confidentially as practicable. In the event that an incident involves personnel from more than one agency, it shall be the responsibility of the reported to agency's human resources department to contact the other agency's human resource department.

## Retaliation

According to 29 CFR 38.19, MJC and its recipients must not discharge, intimidate, retaliate, threaten, coerce or discriminate against any individual (staff or general public) because the individual has filed a complaint alleging a violation of Section 188 of WIOA, or opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, or furnished information to, or assisted or participated in any manner in, an investigation, review, hearing, or any other activity related to any, administration of the nondiscrimination and equal opportunity provisions of Section 188 of WIOA, exercise of authority under those provisions, or exercise of privilege secured by those provisions, or otherwise exercised any rights and privileges under the nondiscrimination and equal opportunity provisions of Section 188 of WIOA.

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