

EXECUTIVE ORDER 89-01

SEXUAL HARASSMENT

Sexual harassment is unacceptable in the work place and I am issuing this Order to serve as a reminder to agencies and employees, plus to ensure that we continue to emphasize policies against sexual harassment.

It is the public policy of the State to provide and maintain a working environment free from sexual harassment for its employees and all citizens participating in State programs. Sexual harassment is a form of sex discrimination and is an unlawful employment practice under RCW 49.60 (Washington State Law Against Discrimination) and (Federal Law) Title VII of the Civil Rights Act of 1964.

Sexual harassment occurs through unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- C. 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 best tools for the elimination of sexual harassment are prevention by education and effective intervention.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by the authority vested in me, do hereby order and direct each agency to:

- A. Update or develop and disseminate among all agency employees and contractors a policy that:
 - 1. defines and prohibits sexual harassment in the workplace;
 - 2. includes procedures which describe how the agency will address concerns of employees who are affected by sexual harassment in the workplace; and
 - 3. identifies appropriate sanctions and/or disciplinary actions;
- B. Respond promptly and effectively to sexual harassment concerns;
- C. Conduct training and education for all employees in order to prevent and eliminate sexual harassment in the organization;

D. Inform employees of their right to file a complaint with the Washington State Human Rights Commission under RCW 49.60, or with the Federal Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964.

The Department of Personnel shall incorporate into their Affirmative Action Program Guidelines, criteria addressing compliance with this Executive Order. This Order shall supersede a prior Executive Order 83-12.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the seal of the State
of Washington to be affixed at Olympia
this 20th day of January A.D., Nineteen hundred and eighty-nine.

Additional

By:

BOOTH GARDNER
Governor of Washington

BY THE GOVERNOR:

Secretary of State