



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
DEPARTMENT WIDE

REVISION DATE
6/23/21

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DOC 850.625

POLICY

TITLE
DISCRIMINATION AND HARASSMENT

REVIEW/REVISION HISTORY:

- Effective: 7/1/83 DOC 853.025
- Revised: 2/24/92
- Revised: 2/15/01 DOC 850.625
- Revised: 12/20/06
- Revised: 1/13/09
- Revised: 6/7/10
- Revised: 11/12/12
- Revised: 1/20/16
- Revised: 6/23/21

SUMMARY OF REVISION/REVIEW:

Major changes to align with Office of Financial Management Directive 20-03. Read carefully!

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/21/21

Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 49.60](#); [WAC 162-16-240](#); [Governor's Executive Order 89-01](#); [Office of Financial Management Directive 20-03](#); DOC 850.010 Administrative Investigations; DOC 850.125 Workplace Violence; DOC 880.100 Corrections Training and Development; [Title VII of the Civil Rights Act of 1964](#); [Collective Bargaining Agreements](#)

POLICY:

- I. Discrimination, including harassment, sexual harassment, and retaliation, is prohibited under RCW 49.60 and Title VII of the Civil Rights Act of 1964. The Department promotes a work environment free from discrimination, unsolicited, unwelcome, and inappropriate behavior.
- II. The Department prohibits all forms of discrimination and has established procedures to:
 - A. Ensure employment practices are non-discriminatory,
 - B. Report discrimination complaints, and
 - C. Ensure that all employees, contract staff, and volunteers are protected and provided relief from any form of discrimination in the workplace.

DIRECTIVE:

- I. General Requirements
 - A. Discrimination of any kind, including retaliation for filing or participating in the investigation of discrimination, will not be tolerated. Discrimination, including harassment, sexual harassment, and retaliation, is defined and examples are provided in Attachment 1.
 1. Employees, contract staff, and volunteers who fail to take prompt and immediate steps to prevent and/or report discrimination, or an act of retaliation, will be subject to appropriate corrective or disciplinary action, up to and including dismissal.
 - B. Employees, contract staff, and volunteers will not engage in any form of discrimination.
 1. Discrimination does not need to be job-related and may occur outside the workplace (e.g., social media, outside of work hours, travel, events).
- II. Responsibilities
 - A. Employees, contract staff, and volunteers will:

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1. Read and comply with this policy.
2. Consider being an advocate for those facing discrimination by speaking up when the behavior is observed and/or reporting the behavior.
3. If the behavior continues or the person is uncomfortable speaking to the perpetrator, notify a supervisor/manager or Human Resources immediately of offensive behavior.
4. Complete non-discrimination and sexual harassment awareness and prevention training per DOC 880.100 Corrections Training and Development.

B. Supervisors and managers will promote a safe and healthy work environment and prevent discrimination from occurring in the workplace by:

1. Ensuring direct reports, contract staff, and volunteers are aware of expectations in this policy.
2. Promptly documenting, reporting, and responding to incidents of discrimination.
3. Referring the complainant to the Staff Psychologist and/or Employee Assistance Program.
4. Following up with the complainant, as reasonable, to ensure the behavior has stopped and there has been no retaliation.

C. Department leadership will hold themselves accountable for the alignment of this policy with applicable law to include maintaining metrics and data points.

III. Reporting

A. The filing of an initial complaint and subsequent investigation will be maintained as confidential information to the extent possible and as required per law.

B. Employees, contract staff, and volunteers who observe or are subjected to discrimination may:

1. Contact the Appointing Authority/Human Resources Consultant, email DOCIDCComplaint@doc1.wa.gov, or request their supervisor/manager make contact on their behalf.
2. File a complaint through one of the following:

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- a. Internally by completing DOC 03-065 Internal Discrimination/Harassment Complaint.
 - b. The Washington State Human Rights Commission/Equal Employment Opportunity Commission.
 - c. Local law enforcement.
3. Request to develop a workplace safety plan per DOC 850.125 Workplace Violence, if needed.

IV. Internal Investigations

- A. Appointing Authorities will consult with and/or inform Human Resources of any allegations of discriminatory, unwelcome, unwanted, or potential violations of this policy.
- B. Written/verbal allegations will be promptly investigated per DOC 850.010 Administrative Investigations and applicable collective bargaining agreements.
- C. Substantiated allegations will result in appropriate corrective or disciplinary action(s), up to and including dismissal.

V. Exceptions

- A. When a position qualifies as a privacy post per WAC 162-16-240, the supervisor/manager will submit a request to Human Resources using DOC 03-051 Bona Fide Occupational Qualification Privacy Post Request.
 1. Position requests must be approved by the appropriate Assistant Secretary or Deputy Secretary.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Inappropriate Behaviors (Attachment 1)

DOC FORMS:

DOC 03-051 Bona Fide Occupational Qualification Privacy Post Request
 DOC 03-065 Internal Discrimination/Harassment Complaint