


COUNTY OF



ALLEGHENY

<b>Name Of Policy:</b> AP 201 - Anti-Discrimination, Harassment and Retaliation Policy	<b>Original Date Issued:</b> February 1, 2005
<b>Date(s) Revised:</b> January 12, 2012 August 14, 2025 This policy supersedes and replaces all previously issued policies related to Discrimination, Harassment and Retaliation	<b>Issued By Direction Of:</b>  John Fournier County Manager, Allegheny County

**Scope:**

**This policy applies to the following individuals:**

	Applies (X)		Applies (X)
Non-Union Full-Time Employees	x	Contract Employees	x
Non-Union Part-Time Employees	x	Temporary Employees	x
Union Full-Time Employees	x	Contractors	x
Union Part-Time Employees	x	Any Person Who Works as an Agent for the County in Any Other Capacity	x

## **1. Introduction**

### **1.1 Background**

Allegheny County strives to maintain a professional work environment which promotes respect and provides an opportunity for each employee to develop to their full potential.

### **1.2 Purpose**

To establish policy, responsibilities and procedures for resolving concerns regarding alleged harassment, discrimination and retaliation.

### **1.3 Scope**

This policy applies to all candidates for employment and County employees. For the purposes of this policy, employees are defined as any person who works on behalf of the County whether in regular employment, temporary employment, on a contract basis, or who works as an agent of the County in any capacity. Conduct that is prohibited by this policy, including that which is disseminated through social media and/or other forms of communication, is unacceptable.

### **1.4 Compliance/Violations**

Those who violate this policy and these procedures may be subject to disciplinary action in accordance with the Allegheny County Progressive Discipline Policy up to and including termination.

### **1.5 Interpretation**

The authority for interpretation of this policy rests with the Allegheny County Manager and the Director of Human Resources.

### **1.6 Policy Review and Updates**

Allegheny County reserves the right to change this policy at any time.

## **2. Policy**

### **2.1 Policy Statement**

Allegheny County is an equal opportunity employer and is committed to fostering, cultivating and preserving a respectful and productive workplace and a culture of diversity, equity and inclusion. We respect each employee's gender identity and as such will use the plural pronouns "they, their" and "them" in the construction of this policy to be as inclusive as possible to our entire workforce. It is the policy of Allegheny County that employees and applicants shall receive consideration and treatment consistent with all equal employment opportunity laws in all terms and conditions of work and the pre-employment process. Allegheny County does not discriminate against anyone on the basis of a protected class including: race; color; religion; national origin; ancestry or place of birth; sex (including pregnancy); gender identity or expression; sexual orientation; disability; military status; marital status; familial status; hairstyle; age (40 and older); use of a guide or support animal because of blindness, deafness or physical disability of any individual or independent contractor or because of the disability of an individual with whom the person is known to have an association; or on any other basis protected by federal, state or local law.

Illegal discrimination, harassment, retaliation and other behaviors deemed to be inappropriate are contrary to Allegheny County's commitment to maintaining a respectful and professional workplace

and interest in attracting, retaining and promoting the most talented, effective and dedicated employees and therefore, are strictly prohibited. Any unwelcome and/or offensive conduct, whether deemed illegal or not, by anyone towards another is prohibited by this policy.

## 2.2 Discrimination is Prohibited

Allegheny County requires that employees and candidates for employment be treated as individuals, on the basis of qualifications, skills, abilities, conduct and performance. Discrimination on the basis of any class protected by law or specified in this policy is prohibited in all employment practices, including, but not limited to, recruitment, hiring, evaluation, promotion, transfer, discipline and termination of employment, as well as in all forms of compensation and benefits. All personnel must behave in a non-discriminatory and business-like manner in all dealings with co-workers and all non-employees of Allegheny County contacted in the course of employment, including but not limited to clients, visitors, and vendors.

Employees who believe they have been discriminated against or who have witnessed what they believe to be acts of discrimination, whether deemed illegal or not, must report their concerns in good faith, using the Complaint and Report Procedure described in Section 3.1. of this policy. All individuals have a duty to report suspected violations of this policy.

## 2.3 Harassment is Prohibited

Unwelcome conduct based upon a person's protected class in the workplace or in other work-related settings, whether deemed illegal or not, is prohibited.

Prohibited conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, offensive or inappropriate statements or judgements of a protected class, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, and offensive or explicit objects or pictures. This includes such behavior that interferes with work performance such that enduring the conduct becomes a condition of continued employment or where the conduct is so severe or pervasive so as to create a work environment that a reasonable person would consider it to be intimidating, hostile or abusive.

Sexual Harassment is prohibited: Unwelcome conduct or comments based on sex (including pregnancy, sexual orientation, or gender identity), whether deemed illegal or not, is prohibited.

Prohibited conduct may include, but is not limited to, unwelcome sexual advances, requests for sexual favors, lewd or offensive comments, displaying sexually explicit images or objects, and other verbal or physical harassment of a sexual nature that explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating and/or hostile work environment.

Sexual harassment may also include a request for sexual favors in exchange for a favorable job action (e.g., positive performance review, salary increase or promotion) or in exchange for avoiding an unfavorable job action (e.g., demotion, discipline or termination). Any such request is strictly prohibited and may result in disciplinary action or termination of employment, without other warning. If any such request is made, either directly or implied, report it at once to the Department of Human Resources as described in the Complaint and Report Procedure in Section 3.1 of this policy.

Employees who believe they have been harassed or who have witnessed conduct they believe to be harassment, whether deemed illegal or not, must report their concerns, in good faith, using the Complaint and Report Procedure described in Section 3.1 of this policy.

#### 2.4 Retaliation is Prohibited

Allegheny County also prohibits retaliation against employees because they have properly exercised their legal rights to be free from discrimination and harassment. It is a violation of this policy to retaliate against anyone because they have, in good faith, reported potential violations of this policy or otherwise have opposed actions they reasonably believe to constitute unlawful discrimination, harassment or retaliation.

It is a violation of this policy for any employee who learns of any report, complaint or investigation of alleged discrimination, harassment or retaliation to retaliate against the person who made the report, or against anyone involved in the investigation, on the basis of their good faith use of the Complaint and Report Procedure in Section 3.1 or on the basis of their participation and cooperation in the investigation or other EEO-related proceedings.

Acts that could be considered retaliatory include, but are not limited to, any action that is intended to or could reasonably be considered to have the effect of discouraging an individual from filing a complaint or cooperating with an investigation related to a complaint. This includes discriminatory acts, harassment, or any action which interferes with or fundamentally alters a person's ability to complete their job responsibilities or associate professionally with their colleagues.

#### 2.5 Employee Responsibilities

All employees must comply with this policy and should report any violation of this policy under the Complaint and Report Procedure in Section 3.1. Allegheny County is required to act on all reports of discrimination, harassment and retaliation even when a request is made by the reporting employee that no action be taken. All employees are required to cooperate fully in any preventative, investigative, remedial and corrective actions taken by Allegheny County. Employees must not interfere or attempt to interfere with, influence or prevent any employee's effort to make a complaint or their participation and cooperation in the investigation or other EEO-related proceedings. Failure to fulfill these responsibilities is a violation of this policy. Any knowingly false allegations and information (i.e., not made in good faith) may result in disciplinary action, up to and including termination of employment, without other warning.

#### 2.6 Management Responsibilities

Management must comply with and enforce all aspects of this policy and must cooperate fully in the County's investigative, remedial and corrective actions. Management is required to report any conduct that they witness and/or suspect may be a violation of this policy, even if the conduct is not reported to them. Management is required to act on all reports of discrimination, harassment and retaliation, even when a request is made by the reporting employee that no action be taken. Management must not interfere or attempt to interfere with, influence or prevent any employee's effort to make a complaint or their participation and cooperation in the investigation or other EEO-related proceedings. Failure by any management personnel to fulfill these responsibilities is a violation of this policy and will result in disciplinary action, up to and including termination of employment, without other warning.

### **3. Procedures**

#### **3.1 Complaint and Report Procedure**

Allegheny County takes all complaints seriously and encourages the prompt reporting of complaints. If you believe you have been the subject of discrimination, harassment or retaliation or other inappropriate conduct, whether deemed illegal or not, report your concerns, in good faith, immediately to either the designated Human Resources liaison within your Department; your department director or other department manager; or the Allegheny County Department of Human Resources. Employees may contact the Department of Human Resources:

By Calling: 412-350-6940  
By Email: [contactHR@alleghenycounty.us](mailto:contactHR@alleghenycounty.us)  
By Fax: 412-350-2656  
In Person: Suite 920 City-County Building  
414 Grant Street  
Pittsburgh, PA 15219

County employees who are in a supervisory role have the duty to report instances of potential violations of this policy to HR, or to their own supervisors or departmental leadership. County employees in a supervisory position who fail to follow this reporting procedure may be subject to discipline up to and including termination. Complaints received by County Departments must be forwarded to the Department of Human Resources for additional review and, if appropriate, investigation.

If you choose to discuss your concerns first with someone in your department and you do not get a prompt or satisfactory response, please contact the Department of Human Resources immediately. Employees are encouraged to use the Allegheny County Department of Human Resources Complaint Form to report their concerns.

#### **3.2 Investigations**

All reports of harassment, discrimination and retaliation, whether deemed illegal or not, will be investigated promptly. Such investigations will be conducted as a standard practice by or under the direction of the Director of the Allegheny County Department of Human Resources, or in limited circumstances, the County Manager. All such investigations will be conducted in as confidential a manner as is consistent with a proper investigation and to the extent practical under the circumstances. The County's investigation typically will include, but is not limited to, private interviews with the person(s) who made the report, with any witnesses and with the alleged offender(s). Alleged offenders will be notified of the existence and nature of the investigation in a timely manner, while protecting the confidentiality of complainants as much as is feasible. Allegheny County may notify the complainant(s) and alleged offender(s) of the conclusion of the investigation as appropriate and will implement any corrective actions as needed. Allegheny County also may inform other appropriate persons as needed, such as those involved in taking corrective or remedial action. Generally speaking, employees who are not the subject of an investigation or closely involved with the investigation are not entitled to updates or progress reports regarding any investigation, its findings, or conclusions.

Allegheny County will not release any investigative files, including interviews and/or findings, unless authorized by the County Manager, or pursuant to a court-authorized request (i.e., subpoena, court order).

### 3.3 Corrective and Remedial Action

If it is determined that a violation of this policy or of the law, or other inappropriate conduct has occurred, Allegheny County will take actions appropriate under the circumstances to address and correct the misconduct and to otherwise remedy the situation. Remedial action is intended to prevent future violations and to undo the effects of the violation of this policy and will vary depending on the situation. Disciplinary action for any violation of this policy may range from counseling and/or training to termination of employment and may include any other form of corrective action Allegheny County deems to be appropriate under the circumstances.

## 4. Attachments

4.1 Allegheny County Department of Human Resources Complaint Form

4.2 Policy Acknowledgment Form

## 5. Questions/Contact Information

Questions concerning this policy should be directed to:

Allegheny County Department of Human Resources: Employee Relations  
Suite 920  
414 Grant Street  
Pittsburgh, PA. 15219  
Phone: 412-350-6940

## 6. Charges of Discrimination

Federal, State and Local Laws

Federal, state and local laws prohibit illegal discrimination, harassment and retaliation. You have a right to file a charge of discrimination with any of the agencies listed below within the respective time frames. Filing time frames may vary based on the specific allegations of your complaint.

Agencies

Equal Employment Opportunity Commission Pittsburgh Regional Office

William S. Moorhead Federal Building

1000 Liberty Avenue, Suite 1112

Pittsburgh, PA. 15222

Phone: 1-800-669-4000

TTY: 412-395-5904

Fax: 412-395-5749

Filing Time Frame: Up to 300 days from date of alleged occurrence

U.S. Department of Labor - Office of Federal Contract Compliance (OFCCP) Pittsburgh District Office

William S. Moorhead Federal Building

1000 Liberty Avenue, Room 2103

Pittsburgh, PA. 15222

Phone: 412-395-6300

Fax: 412-395-5408

Filing Time Frame: Up to 180 days from date of alleged occurrence Note: Only if contractor receives federal funds.

Pennsylvania Human Relations Commission Pittsburgh Regional Office

301 Fifth Avenue

Suite 390, Piatt Place

Pittsburgh, PA. 15222

Phone: 412-565-5395

TTY: 412-565-5711

Filing Time Frame: Up to 180 days from date of alleged occurrence

Allegheny County Human Relations Commission

920 City-County Building

414 Grant Street

Pittsburgh, PA. 15219

Phone: 412.350.6945

Fax: 412-350-5230

[hrc@alleghenycounty.us](mailto:hrc@alleghenycounty.us)

Filing Time Frame: Within one year of the alleged act of discrimination, unless otherwise required by the Fair Housing Act.

City of Pittsburgh Commission on Human Relations

414 Grant Street

Pittsburgh, PA 15219

Phone: 412-255-2600

Fax: 412-255-2288

Filing Time Frame: Within 365 days after the alleged act of discrimination