

**STATE OF NEBRASKA
WORKPLACE HARASSMENT POLICY**

It is hereby declared to be the policy of the government of the State of Nebraska that everyone be treated fairly and equally with dignity and respect. Any form of workplace harassment on the basis of race, color, religion, age, sex, disability or national origin is discriminatory and in violation of this Policy. It shall be considered a violation of this Policy for any employee to engage in workplace harassment of any employee or recipient of the agency's services. For the purpose of this Policy, the term "agency" shall mean each department, agency, office, board, commission and committee of the State of Nebraska.

For the purpose of this Policy, "workplace harassment" shall be defined as sexual harassment, or any inflammatory comments, jokes, printed material and/or innuendo, based in whole or in part, on race, color, sex, religion, age, disability or national origin, when:

- (1) A reasonable person could conclude such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
- (2) Such conduct interferes unreasonably with a person's work or employment opportunities.


For the purpose of this Policy, "sexual harassment" shall be defined as any unwelcome sexual advances, requests for sexual favors, and either verbal or physical conduct of a sexual nature, when:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term of an individual's employment or a condition to receipt of services by a recipient of the agency's services; or
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment or agency decisions affecting an employee or a recipient of the agency's services; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or the receipt of services by a recipient of the agency's services, or of creating an intimidating, hostile or offensive environment.

It is the policy of the government of the State of Nebraska that all agencies are obligated to take immediate and appropriate action to investigate all instances of alleged workplace harassment reported to the agency. If an employee reports sexual harassment to the Department of Administrative Services in accordance with State law, the Department will ensure an investigation is conducted and report the findings to the Agency Director or Board Chair as appropriate. In the event that any allegation of workplace harassment is substantiated, the agency involved shall take prompt corrective action, including disciplinary action, where appropriate.

It is further declared to be the policy of the government of the State of Nebraska that all affected agencies shall have an internal agency policy pertaining to workplace harassment. Agencies are directed to consult with DAS-State Personnel prior to the implementation of any internal agency workplace harassment policies.

Any individual who believes that he or she has been the subject of workplace harassment is encouraged to report the alleged incident immediately to the appropriate persons as specified in the agency workplace harassment policy or to the Department of Administrative Services in accordance with State law.


Jim Pillen
Governor

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