



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATION REGULATIONS AND OPERATING PROCEDURES

Subject: *Harassment and Discrimination*

Number: *117-A*

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Revised Date: *June 1, 2025*

Rescinds: *117 – Harassment & Discrimination*

Dated: *01-24-2003*

Approved By:

I. PURPOSE

The intent of this directive is to provide each employee with clear, practical, and accurate guidance in a manner that involves both common sense and an understanding of the reality of today's workplace. This directive is not intended to replace existing Department and/or Municipal policies, procedures, and rules, but rather to supplement those directives with amplification and emphasis.

II. POLICY

In accordance with the City of Myrtle Beach Policy # HR0003, it is the City of Myrtle Beach Police Department policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, sex, gender, disability, religion, marital status, veteran status, sexual orientation, gender identity, or age. The purpose of this policy is to ensure that in the workplace, no one harasses another individual. If an employee feels that he or she has been subjected to conduct which violates this policy, they should immediately report the matter to their supervisor. Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

To avoid any confusion, all reports of perceived harassment should be made IN WRITING to their Supervisor, the Human Resources Department, or City Manager.

III. DEFINITIONS

A. Sexual Harassment. While it is not possible to define all types of conduct that could constitute sexual harassment, examples of prohibited behavior include:

1. Unwelcome sexual advances;
2. Requests for sexual favors;
3. Obscene gestures;
4. Displaying sexually graphic materials;
5. Sending sexually explicit communications such as, but not limited to, e-mails and text messages; and/or
6. Any other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments.

Depending upon the circumstances, improper conduct also can include:

1. Sexual joking;
2. Vulgar or offensive conversation or jokes;
3. Commenting about the employee's physical appearance;
4. Conversation about one's own or someone else's sex life; and/or
5. Teasing or other conduct directed toward a person because of their gender

which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

IV. PROCEDURE

B. PREVENTION

1. Employees are responsible for assisting in the prevention of harassment through the following acts:
 - i. Refraining from participation in, or encouragement of, actions that could be perceived as harassment.

- ii. Informing co-workers or supervisors in no uncertain terms that specified conduct is offensive and unwelcome.
 - iii. It is the City and Police Department's expectation that employees who witness or experience any acts of harassment immediately report them to a supervisor.
 - iv. Encouraging any employee, who confides that they are being harassed, to report those acts to a supervisor.
- 2. All department supervisors are responsible for preventing acts of harassment by:
 - i. Monitoring the work environment daily for signs of possible harassment,
 - ii. Instructing all employees on the types of prohibited behavior and the department procedure for reporting and resolving complaints of harassment,
 - iii. Stopping any acts of perceived harassment and advising the offender that conduct constituting harassment is inappropriate and will not be tolerated,
 - iv. Documenting and forwarding any report of perceived or actual harassment to the Office of Professional Standards (OPS), and
 - v. Taking immediate action to limit the work contact between any employees involved in a complaint of harassment.
- C. It is the expectation of the Myrtle Beach Police Department that any employee who is subjected to or has witnessed behavior which is or could be construed to be harassment and/or discrimination, or which is unwelcome, or who becomes aware of such behavior (including inappropriate comments and/or unwanted touching) shall immediately take necessary actions to stop the behavior.
- D. An employee may address the individual who demonstrated activity that could be construed as either harassment or discrimination; indicate that the action is or can be construed as offensive and inappropriate; and ask that the behavior be immediately stopped and not repeated, if all the following conditions apply:
 - 1. The individual(s) subjected to the behavior believes that confrontation and conversation will resolve the issue without the need for further action.

2. The employee who experienced the behavior feels comfortable in confronting the employee who engaged in the inappropriate behavior.

If the situation reoccurs or is not resolved through informal confrontation, then reporting is required.

E. REPORTING

1. The City of Myrtle Beach Anti-Harassment policy addresses reporting of complaints of harassment and/or discrimination.
2. Any employee who believes they are being harassed or discriminated against shall immediately report such incident(s) in writing to their immediate supervisor. If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Human Resources Department. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in their reporting hierarchy.
3. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the City will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy.
4. If the employee feels they have been subjected to any such retaliation, they should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.
5. Department employees who intentionally or inadvertently discover information regarding harassment and/or discrimination of an employee must consider the information confidential. Employees shall not disclose information in any manner except in fulfilling their reporting obligations or while cooperating in an official investigation.

F. INVESTIGATION

1. Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate.

2. The Supervisor receiving the complaint shall immediately meet with the employee and document the following at minimum:
 - a. The identity of the offender(s);
 - b. The date, place and time of the incident or incidents;
 - c. The specifics of the alleged harassment; and
 - d. Any witnesses to the incident or incidents.
3. The Supervisor receiving the complaint shall immediately transmit the complaint to OPS who will log the complaint and notify the Chief of Police.
4. The Chief of Police shall appoint OPS or another member of the department to investigate the allegations of harassment and/or discrimination.
5. Employees must cooperate with all investigations.
6. The assigned investigator shall immediately notify the Chief of Police if the investigation reveals evidence of any criminal conduct, and the Chief of Police may request the assistance of an outside agency to complete the investigation.
7. The assigned investigator shall submit a finding to the Chief of Police within five business days of the complainant submitting the complaint. The Chief of Police may grant an extension if additional time is needed for the investigation. OPS will notify the complainant of the extension and the expected completion date.

G. RESOLUTION

1. If an allegation of harassment or discrimination is sustained, the Chief of Police shall immediately order corrective action designed to stop the behavior. This action may include counseling, transfer, etc. In addition, the offending employee may be subject to disciplinary action up to and including dismissal.
2. OPS shall advise all parties in writing of the outcome of the investigation.
3. The Chief of Police shall notify the Human Resources Director of the outcome of the investigation.