

Portland Public School District 1st Reading

DATE OF FIRST READING: May 26, 2020

PUBLIC COMMENT FOR Policy 5.10.60-P: WORKPLACE HARASSMENT POLICY

The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

Last Date for Comment: June 16, 2020

Summary: WORKPLACE HARASSMENT POLICY 5.10.60-P

1st Reading by: Director Rita Moore
Portland Public School Board

Recommended for 1st Reading by: Portland Public Schools Board of Education
Policy Committee

Draft Policy Web Site: <https://www.pps.net/Page/11911>

Contact: Rosanne Powell, Senior Board Manager
Address: P.O. Box 3107, Portland, OR 97208-3107
Telephone: 503-916-3741
E-mail: schoolboard@pps.net



Workplace Harassment

- (1) All District work environments should be free from any form of harassment, including**

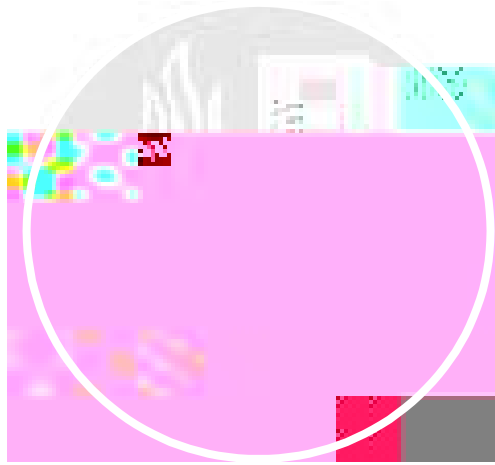
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(C) includes unwanted physical contact such as touching, pinching, brushing the body, coerced sexual intercourse, or assault.

~~(3)~~(4) No District employee, school board member, contractor, or volunteer may use the authority of his or her of their position to subject any other employee to sexual harassment, as described above, or to coerce, encourage, or force another into a romantic relationship.

~~(4)~~(5) When it is brought to their attention, administrators and supervisors must take affirmative steps to stop workplace harassment, including sexual harassment by of subordinates or non-employees, including warning, discipline, and recommending possible dismissal of the



May 18, 2020

School Board

Mary Kane, Legal Counsel

: 5 10060P Workplace Harassment Policy

The 2019 Oregon Legislature made a number of revisions to statutes related to employment. The amendments were enrolled in SB 479 and SB 726. The focus of the bills is to address unlawful conduct in the workplace and to provide protections against workplace harassment of employees. The bills contain staggered start dates with some elements beginning January 1, 2020 and others by October 1, 2020. The General Counsel's office has reviewed the bills and the existing policy with Human Resources.

It is best practice to conform existing policies to current law.

SB 479 and SB 726 address workplace discrimination and harassment, including sexual assault. The bills require employers to provide information to employees who complain of workplace discrimination and harassment, including the District's policy, supports and resources, and legal remedies that may be available to them. SB 726 also provides that employers may not include nondisclosure/nondisparagement/no rehiring provisions in settlement agreements for employees who have made a complaint of workplace discrimination or harassment unless agreed upon by the employee.

The District already had a Sexual Harassment Policy (5 10060P) addressing sexual harassment in the workplace. Rather than create a separate Workplace Harassment Policy, which would include sexual harassment under the statute, we incorporated the new state requirements into our existing policy.

It is unclear whether the amendments will lead to an increase in investigations (and therefore more FTE), which may lead to capacity issues for the Human Resources Department. The General Counsel's office has been working with HR to make m / Ž ty/Mageed H Rio Jaha Moatist unckitu me

Because these changes are driven by legislative directives, there was limited stakeholder