

## **Administrative Code**

### **SEXUAL ABUSE PREVENTION POLICY**

(Addendum July, 2021)

#### **General Policy Statement**

The Fiscal Court does not permit or allow sexual abuse to occur in the workplace or at any activity sponsored by or related to the County. In order to make this “zero-tolerance” policy clear to all County staff members, board members and volunteers, the Fiscal Court has adopted mandatory procedures that all County staff members, board members and volunteers must follow when they learn of or witness sexual abuse.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor who is functioning as a caregiver and is responsible for the person’s or child’s care. Sexual abuse includes sexual assault, exploitation, molestation or injury. It does not include sexual harassment, which is another form of behavior prohibited by the County.

#### **Possible Signs of Sexual Abuse**

There are a number of “red flags” that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments;
- Genital pain or itching; or
- Physical injuries involving the external genitalia.

Behavioral signals suggestive of sexual abuse include, but are not limited to:

- Fear or reluctance about being left in the care of a particular person;
- Recoiling from being touched;
- Bundling oneself in excessive clothing, especially night clothes;
- Discomfort or apprehension when sex is referred to or discussed; or
- Nightmares or fear of night and/or darkness.

## **Reporting Procedure**

All County staff members, board members or volunteers who learn of sexual abuse being committed must immediately report it to his or her department head and the Human Resources Director (the “designee”).

## **Investigation and Follow Up**

The Fiscal Court takes allegations of sexual abuse seriously. If an allegation is reported against a County staff member, board member or volunteer, the County will promptly, thoroughly and impartially initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. The County investigation may be undertaken by an internal team or by law enforcement. The County reserves the right to place the subject of the investigation on an involuntary leave of absence or reassign that person to responsibilities that do not involve personal contact with individuals. To the fullest extent possible, the County will endeavor to keep the identities of the alleged victims and investigation subject confidential, as allowed by law.

If the investigation substantiates the allegation, this policy allows the County to impose discipline, up to and including termination of employment.

## **Retaliation Prohibited**

We prohibit any retaliation against anyone who in good faith reports sexual abuse, alleges that sexual abuse is being committed or participates in the investigation of the alleged abuse. Intentionally false or malicious accusations of sexual abuse are prohibited.

Anyone who improperly retaliates against an individual who has made a good-faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination of employment.