



## BOARD OF EXAMINERS

*New Orleans and Baton Rouge Steamship Pilots for the Mississippi River*

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Lee A. Jackson  
*Commissioner*

Casey E. Clayton  
*President*

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*Commissioner*

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### ***POLICY AGAINST HARASSMENT***

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#### **1. INTRODUCTION**

- 1.1 The Board of Examiners for New Orleans - Baton Rouge Steamship Pilots for the Mississippi River (hereinafter “Board of Examiners” or “Board”) is committed to promoting and maintaining a pleasant and harmonious workplace where individuals may work in an open, tolerant environment, free from harassment.
- 1.2 The Board of Examiners is responsible for successfully maintaining this climate and shall contribute by respecting and upholding the aforementioned values.
- 1.3 This policy contributes to the aforementioned objectives by setting up prevention and corrective mechanisms for situations involving harassment. The policy applies to the Board of Examiners and all New Orleans – Baton Rouge Steamship Pilots.
- 1.4 Harassment is not only prohibited by the Board, it is also prohibited by Louisiana law, specifically: Title 42 - Public Officers and Employees; Chapter 6. Prevention of Sexual Harassment, La. R.S. 42:341 through La. R.S. 42:345. Depending on the circumstances, other federal and state laws may also be applicable.

#### **2. DEFINITIONS**

- 2.1 “Harassment” refers to all forms of harassment, including that which is based on sex, race, color, pregnancy, gender, age, religion, ethnic or national origin, disability, veteran status, and other activities or statuses protected by law. Harassment of any kind is not tolerated by the Board of Examiners.

Harassment is repeated or unwanted conduct manifested through words, actions or gestures which affects the dignity or physical or psychological integrity of a person or results in unfavorable working conditions for that person. A single serious act may also constitute harassment.

Without limiting the generality of the foregoing, harassment may manifest as the following behaviors:

- Innuendoes, inappropriate jokes or comments, insults, physical touching or other gestures that affects the dignity or physical or psychological integrity of a person;
- Explicit or implied requests for sexual favors;
- Threats or retaliation; and
- Offensive, insulting, demeaning, vulgar, profane, or obscene remarks, gestures, jokes, pranks, slurs, graffiti, emails, pictures, and/or cartoons.

2.2 “Sexual Harassment” refers to unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when the conduct explicitly or implicitly affects an individual’s holding of office, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive environment. Sexual Harassment is not tolerated by the Board of Examiners.

### **3. PREVENTION OF HARASSMENT**

3.1 The Board of Examiners and all New Orleans – Baton Rouge Steamship Pilots shall be required to receive and review this Policy and sign the *Acknowledgment of Receipt of Policy Against Harassment*. In addition, every new member of the Board and New Orleans – Baton Rouge Steamship Pilots shall receive a copy of the policy upon appointment by the Governor and likewise sign the *Acknowledgment of Receipt of Policy Against Harassment*.

3.2 The Board of Examiners encourages all to come forward with complaints about violations of this policy. The Board assures all that no adverse action will be taken or allowed against anyone who honestly and in good faith reports violations of this policy or who honestly and in good faith participates in any investigation of such complaints. Any pilot who is found to be in violation of this policy shall receive discipline up to and including reprimand, fine, suspension and/or revocation of a pilot’s commission. Retaliation against anyone through adverse action or harassment also violates this policy and is also grounds for discipline, up to and including reprimand, fine, suspension and/or revocation of a pilot’s commission.

3.3 Any instance(s) of harassment must be reported to one or more of the following persons: (1) The Board of Examiners’ President or (2) any Board of Examiners’ Commissioner.

### **4. HANDLING OF COMPLAINTS**

4.1. To ensure that the Board of Examiners can promptly investigate and, if appropriate, take prompt and effective action to redress violations of this policy, the person who believes they are the victim of harassment shall report the conduct as provided for in Section(s) 2.1 and/or 2.2 immediately and provide all the information outlined in Section 4.2 for the initial assessment of the complaint. It is not sufficient to report or complain to someone other than those individuals listed in Section 3.3.

4.2 Any source may file a sworn report of harassment within one year of the alleged act(s) complained of;

Reports of harassment shall be typewritten and submitted on plain paper and shall include the date and time of the harassment, a description of what happened, the type of harassment, location of harassment, the identity of the alleged harasser, the identity of any other persons and/or witnesses, if known, and shall be given in an authentic act in which the complainant swears to the truthfulness of the allegations, subject to the penalties of perjury;

If a sworn report is not submitted in the aforementioned prescribed manner, the report shall be returned with an explanation of error and without prejudice to the complainant to properly refile.

- 4.3 In response to any reports of harassment, the Board of Examiners will take immediate and prompt action in the form of an investigation whereby facts and information will be gathered and documented.
- 4.4 Depending on the circumstances of each case, investigations may be led by the Board of Examiners or by an external resource specially assigned to this end by the Board.
- 4.5 Any person who believes they are the victim of harassment will be interviewed, as will the alleged harasser and any other person likely to shed light on the allegations.
- 4.6 All persons shall cooperate fully with the investigation and immediately provide requested documents and information.
- 4.7 Retaliation against an individual for filing a complaint or testifying or participating in any way in an investigation or other proceeding involving a complaint of harassment of any kind is strictly prohibited.
- 4.8 Any person who believes he or she is a victim of harassment, if circumstances allow, may address the harasser directly and demand an end be put to it. However, all persons who file a complaint must still report instances of harassment as provided for in Section 3.3 notwithstanding the provisions of this Section.
- 4.9 Any pilot who files a false report shall receive discipline up to and including reprimand, fine, suspension and/or revocation of a pilot's commission.