



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

PREVENTING SEXUAL HARASSMENT IN THE EXECUTIVE BRANCH OF GOVERNMENT

- WHEREAS:** The State of Georgia does not tolerate sexual harassment in the workplace, and the State of Georgia is committed to providing a harassment free-workplace and environment for its employees and all citizens who interact with state government; and
- WHEREAS:** The prevention of sexual harassment in the agencies of state government is an important responsibility of the state; and
- WHEREAS:** Every state employee should be trained regarding the avoidance and prevention of sexual harassment and enforcement of policies and procedures to prohibit sexual harassment; and
- WHEREAS:** Effective prevention of sexual harassment depends upon on the impartiality, consistency, and transparency of the investigations; and
- WHEREAS:** Implementation of uniform sexual harassment reporting and investigation practices will assist in the objective to eliminate sexual harassment in the state; and
- WHEREAS:** The Office of Inspector General was established to prevent and investigate certain types of employee misconduct in the Executive Branch of state government.

NOW, THEREFORE, BY VIRTUE OF THE POWER VESTED IN ME AS THE GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: Sexual Harassment Policy. In consultation with the Executive Counsel, the Georgia Department of Administrative Services Human Resources Administration Division shall promulgate a uniform sexual harassment prevention policy that shall apply to all Executive Branch agencies. Such policy shall also specifically prohibit retaliation against any person who has reported or participated in the investigation of possible sexual harassment. Each Executive Branch agency shall make this policy available to all employees and retain documentation of each employee's acknowledgement of the policy.

IT IS FURTHER

ORDERED: Mandatory Training of State Employees. In consultation with the Executive Counsel, the Department of Administrative Services Human Resources Administration Division shall develop sexual harassment prevention training for all Executive Branch employees. Each agency shall provide this training to all new employees within thirty (30) days of hire and require all employees, including part-time and seasonal employees, to take the sexual harassment training at least once a year.

In consultation with the Executive Counsel, the Department of Administrative Services Human Resources Administration Division shall develop sexual harassment prevention training specifically applicable to employees holding supervisory and managerial positions. Each agency shall provide this training to new managers and supervisors within thirty (30) days of employment or promotion to a managerial or supervisory position.

Evidence of receipt of training shall be documented and retained by each Executive Branch agency.

IT IS FURTHER

ORDERED: Sexual Harassment Investigations. Each Executive Branch agency shall designate at least two persons, not of the same gender, to investigate complaints of sexual harassment. Each agency shall promptly review all complaints of sexual harassment and immediately report any complaint made directly to the agency to the Office of Inspector General.

Each Executive Branch agency shall ensure employees that are directly supervised by a designed investigator have the ability to report complaints of sexual harassment to a person other than their direct supervisor.

The Office of Inspector General shall independently review each sexual harassment complaint notification and provide oversight on whether the complaint can be fairly and impartially handled internally at the agency from which it originated. The Office of Inspector General shall determine an impartial investigator to handle any investigations determined to be unable to be fairly or impartially handled at the agency from which it originated.

The Executive Counsel and the Office of Inspector General, in consultation with the Department of Administrative Services Human Resources Administration Division, shall develop procedures regarding investigation and resolution of sexual harassment complaints, which shall be binding on Executive Branch agencies.

IT IS FURTHER

ORDERED: **Sexual Harassment Investigation Training.** The Office of the Inspector General in conjunction with the Department of Administrative Services Human Resources Administration Division shall develop standardized investigative training for state employees who are designated by their agency head to investigate complaints of sexual harassment. All agencies shall require the employees designated to conduct sexual harassment investigations to take the investigator training to ensure consistency among all sexual harassment investigations across the state.

IT IS FURTHER

ORDERED: **Office of Inspector General Audit Authority.** The Office of Inspector General shall have authority to review a sexual harassment investigation at any time. The Office of Inspector General may request any information related to a sexual harassment complaint or investigation from any agency at any time.

Executive Branch agencies shall provide full cooperation to the Office of Inspector General and produce any information requested pursuant to this Order as soon as it is available.

IT IS FURTHER

ORDERED: **Applicability.** This Executive Order applies to every Executive Branch agency. “Agency” means any Executive Branch agency, board, bureau, commission, council, department, entity, or instrumentality of any kind, and others as may be designated by the Governor, to the extent that such designation does not conflict with state law. All Executive Branch agencies are required to comply with this Order in addition to all federal and state laws governing sexual harassment. Nothing in this Order has the effect of supplanting or superseding any federal or state law.

This the 14th day of January 2019.


GOVERNOR