

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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**For Office**

**Use Only:**

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Department of Corrections

Department Division of Community Correction

Contact Russ Carter E-mail Russ.Carter@Arkansas.gov Phone 501-682-9572

Statutory Authority for Promulgating Rules Arkansas Code sections 12-27-105, 16-93-1203 and 16-93-1205

Rule Title: Harassment

**Intended Effective Date**

(Check One)

**Date**

☐ Emergency (ACA 25-15-204)

Legal Notice Published ..... \_\_\_\_\_

☐ 10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment ..... \_\_\_\_\_

☒ Other 10/31/2015  
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council ..... \_\_\_\_\_

Adopted by State Agency ..... \_\_\_\_\_

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Russ Carter

Russ.Carter@Arkansas.gov

12/31/2019

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

870.643.1922

Solomon.Graves@Arkansas.gov


Phone Number

E-mail Address

Chief of Staff

Title

Date

	<div>ADMINISTRATIVE RULE</div> <div>STATE OF ARKANSAS</div> <div>BOARD OF CORRECTIONS</div>	Section Number: ACC AR 3.15	Page Number: 1
		Board Approval Date: 7/29/2015	
		Supersedes: ACC AR 3.15	Dated: 8/31/01
		Reference: Sec. of State 159.	Effective Date: 10/31/2015
		SUBJECT: HARASSMENT	

**I. AUTHORITY.** The Board of Corrections is vested with the authority to promulgate this administrative rule by Arkansas law sections 12-27-105, 16-93-1203 and 16-93-1205.

**II. APPLICABILITY.** This policy applies to all Arkansas Community Correction (ACC) employees and its agents. Agents include volunteers, interns, contractors and vendors. It is applicable to all phases of employment, including testing, training, hiring, promotion, demotion, transfer and termination.


**III. POLICY.** ACC policy is to provide an environment where employees can work together comfortably and productively, free from harassment. ACC has zero tolerance for harassment by employees and agents.

**IV. EXPLANATION.** Harassment is a form of employment discrimination that violates state and federal laws. Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information or any other legally prohibited basis.

**A. Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

**B. Non-Sexual Harassment.** Unwelcome verbal or physical conduct that is not directly sexual directed toward or differential treatment of, someone because of his /her membership in any protected group or on any other prohibited basis.

	<b>ADMINISTRATIVE RULE</b>  <b>STATE OF ARKANSAS</b>  <b>BOARD OF CORRECTIONS</b>	<b>Section Number:</b> <b>ACC AR 3.15</b>	<b>Page Number:</b> <b>2</b>
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**V. COMPLAINT PROCEDURE.** Arkansas Community Correction must establish procedures for resolving complaints. All complaints must be handled as confidentially as possible.

**VI. RETALIATION.** Any employee bringing a harassment complaint will not be adversely affected in terms and conditions of employment, or discriminated against or discharged because of the lodging of a complaint.

**VII. DISCIPLINE.** Any employee found to have violated this policy is subject to appropriate disciplinary action, up to and including discharge.