

FILED MAR 11 1997

SENATE FILE 387
BY FINK, LONDBY, HAMMOND,
TINSMAN, DVORSKY, and
FLYNN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to sexual harassment as an unfair employment
2 practice under the jurisdiction of the civil rights
3 commission.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

SF. 387

1 Section 1. Section 216.6, subsection 1, Code 1997, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. e. Person to engage in sexual harassment.
4 For purposes of this paragraph, "sexual harassment" means
5 unwelcome sexual advances, requests for sexual favors, or
6 other verbal or physical conduct of a sexual nature when any
7 of the following apply:

8 (1) Submission to the conduct is made either explicitly or
9 implicitly a term or condition of an individual's employment.

10 (2) Submission to or rejection of the conduct by an
11 individual is used as the basis for employment decisions
12 affecting the individual.

13 (3) The verbal or physical conduct has the purpose or
14 effect of unreasonably interfering with an individual's work
15 performance or creating an intimidating, hostile, or offensive
16 working environment.

17 An employer shall take all steps necessary to prevent
18 sexual harassment from occurring, including, but not limited
19 to, affirmatively raising the subject, expressing strong
20 disapproval, developing appropriate sanctions, informing
21 employees of their rights to raise the issue of sexual
22 harassment within the employment setting and under this
23 section, and developing methods to sensitize all employees to
24 the issue of sexual harassment.

25 EXPLANATION

26 This bill adds sexual harassment to the unfair or
27 discriminatory employment practices which are within the
28 jurisdiction of the civil rights commission. The bill defines
29 sexual harassment as unwelcome sexual advances, requests for
30 sexual favors, or other verbal or physical conduct of a sexual
31 nature when submission to the conduct is made a term or
32 condition of employment, when submission to or rejection of
33 such conduct by an individual is used as the basis for
34 employment decisions affecting the individual, or when the
35 verbal or physical conduct has the purpose or effect of

1 unreasonably interfering with an individual's work performance
2 or creating an intimidating, hostile, or offensive working
3 environment.

4 Under the bill, employers are specifically required to take
5 all steps necessary to prevent sexual harassment from
6 occurring, including, but not limited to, affirmatively
7 raising the subject, expressing strong disapproval, developing
8 appropriate sanctions, informing employees of their rights,
9 and developing methods to sensitize employees to the issue.

- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35