

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER NO. 93-67

IN RE:

**SEXUAL HARASSMENT POLICY**

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On Thursday, June 10, 1993, at a regularly scheduled meeting of the Judges of the United States District Court, Southern District of Florida, following thoughtful discussion the Court approved a comprehensive sexual harassment policy. It is therefore,

ORDERED that the policy stated in the attached document titled *United States District Court, Southern District of Florida, Sexual Harassment Policy*, is hereby adopted. It is further

ORDERED, this policy be distributed to all district judges, magistrate judges, judicial staff, court unit executives, and employees of the United States District Court, Southern District of Florida, by the district's Personnel and Training Section. Additionally, this policy shall be incorporated in the *Personnel Manual of the United States District Court for the Southern District of Florida*.

DONE and ORDERED in chambers at the United States Federal Building and Courthouse, 299 East Broward Boulevard, Fort Lauderdale, Florida, this 3rd day of August, 1993.



Norman C. Roettger  
Chief Judge

- c: All Southern District Judges  
All Southern District Bankruptcy Judges  
All Southern District Magistrate Judges  
Keenan G. Casady, District Executive  
T.G. Cheleotis, Clerk of Court  
Karen Eddy, Clerk of Bankruptcy Court  
Carlos Juenes, Chief Probation Officer  
Roberto Febles, Chief Pretrial Services Officer  
James R. Gailey, Federal Public Defender  
Linda Datko, Assistant Circuit Librarian

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
SEXUAL HARASSMENT POLICY**

The United States District Court for the Southern District of Florida is committed to equal employment opportunity for all persons regardless of race, color, religion, sex, national origin, age, or handicapping condition. This commitment fully encompasses affirmative actions to prevent and promptly redress sexual harassment in the workplace and to provide a working environment free of sexual harassment. Harassment on the basis of sex is prohibited by the Judiciary Equal Employment Opportunity Program, adopted by the Southern District of Florida on February 11, 1987, as unacceptable conduct in the workplace, and will not be tolerated or condoned.

All employees must be allowed to work in an environment free from unsolicited, unwelcome sexual overtones. Sexual harassment debilitates morale and interferes in the work productivity of its victims and the workplace. It is the intention of the United States District Court to eliminate employee misconduct that undermines the integrity of the employment relationship and the principles of good personnel management. At the same time, it is not the intention of the Court to regulate social interactions or relationships freely entered into by employees.

Sexual harassment is any unsolicited or unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature between supervisor and supervisee or between any employees regardless of position or grade if (1) submission to the conduct is made either an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for employment decisions affecting the person who did the submitting or rejecting, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. The harassment need not be directly related to a specific job opportunity or benefit, but also includes the psychological atmosphere created.

Sexual harassment takes various forms. It can be deliberate or repeated unsolicited verbal comments or gestures, or physical contacts of an intimate sexual nature which are unwelcome by the recipient. It can also be an employment decision, or threat of a decision affecting an employee's job which results from the refusal or acceptance of sexual advances. Additionally, sexual harassment may occur when a manager or supervisor has created a hostile and abusive working environment.

Complaints of sexual harassment in the workplace will be examined impartially and resolved promptly utilizing the procedures incorporated as Appendix 5 of the district's Personnel Manual, *Judiciary Equal Employment Opportunity Program, Discrimination*

*Complaint Procedures.* Appropriate disciplinary measures will be taken against any employee who engages in sexual harassment.

Implementation and accountability for the achievement of a workplace free of sexual harassment will rest with the judges, magistrate judges, court unit executives, managers and supervisors at all levels, and the District Executive acting in his capacity as the district's Equal Employment Opportunity Coordinator.