OTHER TYPES OF HARASSMENT

The South Dakota Human Relations Act prohibits harassment on the basis of race, sex, religion, color, creed, ancestry, disability or national origin.

The areas of coverage are employment, housing, public accommodations, public services, education, labor unions and employment agencies.

Some other examples of harassment include:

a. Name calling at work site which refer to a person's sex, race, religion or disability; or
b. Racist or sexist statements displayed in a public accommodation which affect a person's ability to use and enjoy those accommodations.

For more information call or write:
Department of Labor and Regulation
Division of Human Rights
123 W. Missouri Ave.
Pierre, South Dakota 57501
Tel: 605.773.3681
Fax: 605.773.4211

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Auxiliary aids and services available upon request to individuals with disabilities. State and federal laws require the Department of Labor and Regulation to provide services to all qualified persons without regard to race, color, creed, religion, age, sex, ancestry, political affiliation or belief, national origin, or disability.
What should you do, if you feel you are victim of sexual harassment?

PLAN OF ACTION FOR VICTIMS

- Make clear what actions are offensive to you.
- Speak to the offender about the behavior which is offensive to you.
- Speak to your supervisor, the personnel director, or the manager about the behavior.
- Document actions if possible.

If the behavior does not stop, contact the Division of Human Rights.

FILING A COMPLAINT

If you feel you have been a victim of discrimination, you may contact the Division of Human Rights.

The Division investigates complaints of discrimination filed with the office. If it finds the complaint is justified, it will attempt to settle the situation through conciliation.

If these attempts fail, a hearing may be held by the Commission of Human Rights.

EMPLOYER LIABILITIES

The employer has a responsibility to maintain a work place free of sexual harassment.

Once an employer is informed of a harassment situation, the employer must take action to investigate and resolve the situation.

If the harasser is in a supervisory position and harasses a subordinate, the employers may have liability whether they have actual knowledge of the behavior or not.

Any person who files a charge of discrimination, testifies, assists or participates in any way in an investigation, hearing or any other proceeding conducted by the Division of Human Rights is protected by law against reprisal by any person, employer, employment agency, labor organization, landlord or other covered individual or organization.