



County Technical Assistance Service

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Other Preventive and Corrective Measures

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Capitol Blvd. Suite 400
Nashville, TN. 37219
615-532-3555 phone
615-532-3699 fax
ctas@tennessee.edu
www.ctas.tennessee.edu

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Other Preventive and Corrective Measures

Reference Number: CTAS-1070

In addition to implementing a policy and complaint procedure, the employer must exercise *due care* to guard against supervisor misconduct. This includes screening, training and monitoring their performance. Due care requires employers to:

1. Instruct supervisors and managers to address or report all complaints of harassment regardless of whether they are designated to take complaints, and regardless of whether the complaint conforms to procedure (e.g., if employee files EEOC charge, management should launch internal investigation regardless of whether the employee filed a complaint under employer's policy).
 2. Correct harassment regardless of whether an employee files an internal complaint, if the conduct is clearly unwelcome (e.g., if there is graffiti containing sexual or racial epithets, management should eliminate it and not wait for an internal complaint).
 3. Conduct periodic training for supervisors and managers to ensure that they understand their responsibilities under the policy and complaint procedure.
 4. Monitor supervisors' and managers' conduct to ensure that they carry out their responsibilities (e.g., include this in formal evaluations).
 5. Take reasonable preventive measures, including screening applicants for supervisory jobs to see if they have a record of engaging in harassment.
 6. Keep records of all complaints of harassment so that any patterns of harassment by the same individual may be noted.
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