

	<b>ANTI-HARASSMENT POLICY</b>	<b>Date: 04-09-19</b>

<b>APPLICABLE TO FOLLOWING GROUPS:</b> <b>All Employees</b>
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## **POLICY**

The Township is dedicated to providing a work environment that is free from unlawful discrimination and harassment for all employees. The Township prohibits all forms of harassment based on age, race, sex (including pregnancy), sexual orientation, color, religion, national origin, disability, military or veteran status or any status protected by applicable law.

## **SCOPE**

This policy prohibits harassment:

- by employees, whether co-workers, supervisors or managers, as well as volunteers, elected officials, contract workers, and any third-parties that encounter Township employees in the course of business;
- without regard to whether the conduct occurs on Township premises or during working hours; and
- whether in physical, verbal or visual form, including in digital formats such as text message and social media.

## **DEFINING HARASSMENT / PROHIBITED CONDUCT**

There are two types of unlawful harassment: (1) *quid pro quo* sexual harassment; and (2) hostile work environment harassment, which can be based on any protected class.

*Quid pro quo* sexual harassment includes unwelcome and unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- submission to, or rejection of, such conduct by an individual is used or is threatened to be used, as the basis for employment decisions affecting such an individual.

*Hostile work environment* harassment can be based on any legally-protected characteristic. This type of harassment occurs when unwelcome conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Examples of harassing conduct may include, but are not limited to:

- offensive physical contact, such as touching, fondling, pinching, poking, grabbing, patting, impeding or blocking movement;
- threatening, offensive or derogatory gestures, remarks, epithets, jokes, or gossip;
- stereotyping;
- display or circulation of offensive printed or visual matter, such as posters, letters, poems, graffiti, cartoons, or drawings.

### **ANTI-RETALIATION**

The Township prohibits retaliation of any kind against any individual for filing a complaint under this policy or for cooperating with an investigation.

### **REPORTING**

If you believe there has been a violation of this policy, immediately report the incident to a supervisor or the Township Department of Human Resources.

Supervisors or other managerial employees who receive complaints of harassment or retaliation – or who otherwise believe there has been a violation of this policy – must immediately report the conduct to the Township Department of Human Resources.

Reports may be written or oral. Any member of the Human Resource Department can accept and process a report.

### **INVESTIGATIONS**

Complaints of harassment or retaliation will be investigated promptly and thoroughly.

Complaints and resulting investigations will be kept confidential to the extent possible while allowing for adequate investigation. To that end, only those who need to know in order to accomplish the purposes of the investigation shall be provided with the identity of the complainant and the allegations.

All individuals are required to be truthful, forthcoming and cooperative in connection with the complaint investigation. Employee will be provided all due process required by the law when being asked to answer questions, even questions regarding criminal conduct.

Upon the filing of the complaint, the Human Resources Department will complete a preliminary investigation of the complaint and submit a written report to the Township Manager including

a recommendation to resolve the matter. The Township Manager upon receipt of the written complaint and recommendation, will approve the recommendation or request modifications.

The complainant and the alleged harasser shall be advised of the findings reached on the complaint. If a misconduct is found, appropriate remedial action will be taken.

### **VIOLATIONS**

Any employee determined to have violated this policy will be subject to discipline, up to and including termination.

Any employee who fails to cooperate fully in an investigation pursuant to this policy may be subject to discipline, up to and including termination.

Employees covered by a collective bargaining agreement are subject to this policy, though penalties and discipline will be governed by the law and applicable terms of the collective bargaining agreement.

### **CONTACT(S)**

Employees should contact the Human Resources Department with any questions regarding this policy.

### **INTERPRETATION AND CONTROL**

The Human Resources Department is responsible for the interpretation and control of this procedure, as well as the daily administration of the policy. The Human Resources Department is also responsible for reviewing and maintaining all pertinent records pursuant to this procedure.

The Board of Supervisors, acting through the Township Manager, is responsible for the ultimate authorization and control of this policy.