

HARASSMENT POLICY

Policy Date: December 9, 2009

This represents the policy of the Town of Clinton concerning harassment –both general and sexual. Any questions concerning the context of this policy should be discuss with your Department Head or the Mayor.

It is the Town of Clinton’s belief that its employees are the primary means by which the goals and objectives of the town will be met. To that end, the rights of all employees must be respected. All employees of the Town of Clinton must understand its position on harassment.

By definition, harassment is any unwanted physical or verbal conduct or actions prohibited by law by someone in the workplace that creates an intimidating, hostile or offensive work environment including discrimination and sexual harassment.

The management of the Town of Clinton strongly disapproves of activity which falls within the definition of harassment and will take appropriate action to end said harassment and/or prevent the recurrence of any such misconduct. Any form of harassment or discrimination that violates, Federal, State or Local law including, but not limited to, that which is related to an individual’s race, religion, color, sex, sexual orientation, national origin, pregnancy, age, or disability is a violation of this policy and will be treated as a disciplinary matter.

The procedure for reporting and dealing with these very sensitive issues is as follows: If a person’s behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee’s opinion, the behavior is inappropriate and that the employee would like it stopped. If the employee is not comfortable discussing the issue with the person, or if the person fails to respect an employee’s request, the employee should report the incident to his or her supervisor. If, for whatever reason, the employee does not feel that the supervisor is a suitable person to whom to report the incident, the employee should contact the Mayor.

More, specifically, as to the issue of Sexual Harassment, it may be defined as unsolicited, offensive behavior that inappropriately asserts sexuality over employees including but not limited to the following.

- a. **Verbal:** Sexual innuendoes suggestive comments, threats, sexual humor;
- b. **Nonverbal:** Leering, whistling, obscene gestures;
- c. **Physical:** Touching, brushing the body, coerced sexual activity, assault.

Whether or not a particular incident is sexual harassment requires a complete factual investigation and the Town of Clinton will conduct such investigation on all complaints in a manner so as not to cause any serious effect on innocent employees who either file a complaint and/or may be the subject of a filed complaint.

In all instances, a prompt, thorough and, fair investigation will take place, giving careful consideration to protect the rights and dignity of all persons involved. The Town of Clinton will take those steps it feels

necessary to resolve the problem, which may include verbal or written reprimand, suspension or termination.

It must be understood also that the Town of Clinton will investigate by confidentially gathering information from all concerned parties, and will not retaliate against any employee as a result of report of alleged harassment or cooperation with any investigation. The Town of Clinton may consult its legal representative for assistance in determining whether conduct which has occurred does in fact constitute sexual harassment. The Town of Clinton may also make subsequent inquiries from time to time offensive conduct does not resume and/or that the subject of such harassment has not suffered any retaliation of any kind will be tolerated because an employee in good faith reports an incident of suspected harassment.

The supervisor or other person to whom the complaint was made will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any sexual harassment complaints.

Any employee who believes he or she has been subjected to sexual harassment should report the alleged act immediately or as soon as possible to the employee's immediate supervisor or to the Mayor. It is not necessary to complain to an offending supervisor in order to report sexual harassment.

Any employee, manager, or supervisor found by the company to have sexually harassed another employee will be subject to appropriate discipline up to and including termination.

Board Reviewed and Approved: September 17, 2019

Board Reviewed and Approved: March 8, 2022