

## **Town of Washington Grove Unlawful Harassment Policy**

### **1. Non-Discrimination Policy Statement**

Harassment based upon race, color, religion, sex, age, national origin, marital status, disability (mental or physical), sexual orientation, pregnancy or other protected characteristic, is a form of discrimination in violation of Federal and State law and this Town of Washington Grove (“Town”) policy, and will not be tolerated. Retaliation against any person complaining of harassment is in violation of Federal and State law, and this Town policy, and will not be tolerated.

The Town will respond promptly to all complaints of harassment and retaliation. Violation of this policy can result in serious disciplinary action up to and including termination of employment. Disciplinary action for violations of this policy will be the responsibility of the Mayor of the Town of Washington Grove (“Mayor”), and/or the Mayor Pro Tempore of the Town of Washington Grove (“Mayor Pro Tempore”), as may be appropriate in accordance with applicable procedures. The Mayor and Town Council of Washington Grove hereby affirm a desire to maintain a work environment for all employees that is free from all forms of harassment. Harassment is completely incompatible with the values and goals of the Town and will not be tolerated.

### **2. Definitions**

Harassment is unwelcome conduct, based upon race, color, religion, creed, sex, national origin, age, disability (mental or physical), sexual orientation, pregnancy, or other protected characteristic, that is either a condition of working or learning (quid pro quo) or creates a hostile environment.

Quid Pro Quo Harassment consists of unwelcome conduct 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 as the basis for decisions affecting such individual in matters of employment.

Hostile Environment Harassment consists of unwelcome conduct when: such conduct has the effect of unreasonably interfering with an individual’s work, or such conduct has the effect of creating an intimidating, hostile or offensive working environment.

Retaliation is conduct causing any interference, coercion, restraint or reprisal against a person complaining of harassment or participating in the resolution of a complaint of harassment.

### **3. Violations of Policy**

Any employee with a concern, grievance or complaint of harassment should utilize the procedures outlined in the following Resolution Procedures for Harassment Complaints and Retaliation Complaints.

### **4. Resolution Procedures for Harassment Complaints and Retaliation Complaints**

These procedures are to be used to resolve complaints of harassment and based upon race, color, religion, creed, sex, national origin, age, disability (mental or physical), sexual orientation, or pregnancy. These procedures also are to be used to resolve complaints of retaliation.

All employees have the right and are encouraged to immediately report suspected violations the Town policy prohibiting discrimination, harassment or hostile environments in the workplace. Employees can report incidents of discrimination to the Mayor, the Mayor Pro Tempore, or to any supervisory employee. Employees should make every effort to report complaints promptly. Delays in reporting may not only hinder a proper investigation, but may also unnecessarily subject the victim to continued unlawful conduct.

Supervisory employees should immediately report all alleged violations of the Town policy prohibiting discrimination, harassment or hostile environments in the workplace, whether reported by an employee or observed directly, to the Mayor and the Mayor Pro Tempore. If reporting a complaint to any of the persons set forth above presents a conflict of interest, the complaint may be filed directly with the Mayor or the Mayor Pro Tempore.

A prompt, thorough, and impartial investigation into the alleged harassment or discrimination will take place. Such investigation will be conducted by the Mayor, or the Mayor Pro Tempore as appropriate, or his or her written designee as specified via a Resolution of the Town Council appointing such other written designee of the Mayor or Mayor Pro Tempore at a regular meeting of the Town Council or special meeting call for such purpose.

The Mayor, or the Mayor Pro Tempore as appropriate, will review the investigative report and make a determination as to whether the allegation of a violation of Town policy prohibiting discrimination, harassment, and hostile environments in the workplace has been substantiated. If a violation has occurred, the Mayor, or the Mayor Pro Tempore as appropriate, will determine the appropriate corrective measures necessary to immediately remedy the violation. Such measures can include termination of employment.

To the extent practical and appropriate under the circumstances, confidentiality will be maintained throughout all phases of the intake, investigation and remediation process. Any breach of confidentiality by any party involved in this procedure may be considered an act of obstruction, and may subject that employee to disciplinary action.

Any employee can file a complaint directly with external agencies that investigate discrimination/harassment charges in addition to utilizing this internal procedure.

Approved by Mayor and Town Council

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Mayor

\_\_\_\_\_  
Date

Employee Acknowledgment

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Employee

\_\_\_\_\_  
Date