

TOWN OF SEYMOUR

POLICY PROHIBITING SEXUAL HARASSMENT, UNLAWFUL DISCRIMINATION AND RETALIATION



The Town of Seymour is committed to maintaining a work environment free of discrimination and harassment of any kind where all individuals are treated with respect and dignity. In keeping with this commitment, the Town of Seymour will not tolerate sexual harassment or unlawful discrimination of employees by anyone, including any supervisor, co-worker, vendor, client or customer, whether in the workplace, at assignments outside the workplace, or at company sponsored social functions.

Prohibited Conduct

Sexual Harassment: Sexual harassment is defined as unwelcome or unwanted sexual advances, requests for or offers of sexual favors, or other physical, verbal, or visual conduct of a sexual nature when (1) the conduct has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment, (2) submission to the conduct is an explicit or implicit term or condition of employment, or (3) submission to or rejection of the conduct is used as the basis for an employment decision.

The following kinds of behavior are forms of sexual harassment that are prohibited under this policy:

- unwanted sexual advances;
- explicit sexual propositions,
- demands for or offers of sexual favors in exchange for favorable treatment or continued employment;
- repeated sexual innuendos, suggestive comments, or sexually oriented kidding, teasing or practical jokes;
- jokes about gender-specific traits;
- obscene body language or gestures;
- leering or staring that is offensive;
- posters, pictures, cartoons, toys or objects of a sexual nature;
- physical contact, such as touching, patting, pinching or brushing against another's body; and
- hostile or stereotypical comments related to gender (sex);

The offender or the victim of harassment may either be a man or a woman, and sexual harassment can occur between persons of the same gender as well as between members of the opposite sex. The above list is not all-inclusive.

Other Types of Harassment and Discrimination: Unlawful discrimination based on race, color, religion, age, national origin, ancestry, physical or mental disability, perceived physical or mental disability, marital status, veteran status, sexual orientation,

or any other characteristic made unlawful by Federal or Connecticut law is strictly prohibited. Harassment based on race, color, religion, age, national origin, ancestry, physical or mental disability, perceived physical or mental disability, marital status, veteran status or sexual orientation is prohibited under this policy and will not be tolerated. Among the types of conduct prohibited are telling racial, ethnic, age, disability or other degrading jokes or comments and making racial or ethnic slurs and other forms of degrading name calling.

Reporting: If any employee believes she or he is being sexually harassed or otherwise harassed or discriminated against or has witnessed another employee being harassed or otherwise discriminated against, the employee should promptly report the matter to their Department Head or Human Resources. If either of them is the person against whom the report is being made, the report should be made to the other. Prompt reporting of conduct that you believe is offensive and sexual in nature or that you otherwise consider harassment or discrimination is strongly encouraged. It allows for rapid response and resolution of objectionable behavior or conditions both for the reporting employee and any other affected employees. Complaints of retaliation against anyone who made a report alleging harassment or discrimination or who participated as a witness in an internal investigation of such a report are also to be promptly brought to the attention of their Department Head or Human Resources.

Supervisors who have knowledge of actual or alleged sexually harassing or other discriminatory conduct committed by any employee, regardless of whether or not the employee is their subordinate or is in their department, are required to immediately report it to their Department Head or Human Resources. Any supervisor who is found to have had knowledge of sexual harassment or other harassment or discrimination in the workplace and failed to report it will be subject to discipline, up to discharge.

No Retaliation: Retaliation in any form against any employee who makes a report of harassment or discrimination or against any witness or person who participates in or provides assistance in an investigation is strictly forbidden. Anyone who retaliates is subject to discipline. Complaints of retaliation should be made to the employee's Department Head unless you believe he/she is involved, in which event your complaint of retaliation should be made to the Human Resources Department.

An employee who makes a complaint of sexual harassment or other unlawful discrimination is protected against reprisal or retaliation even if the complaint upon investigation is determined not to be substantiated as long as the complaint was made based on a good faith, reasonable belief that the conduct was prohibited by this policy.

However, a complaint of sexual harassment or unlawful discrimination that is known by the reporting employee to be false and is made with the improper intent to obtain a benefit or to cause the company to take action detrimental to the person against whom the complaint is made is not protected activity under the no-retaliation policy. Any employee who knowingly makes a false complaint of sexual harassment or other prohibited harassment or discrimination will be subject to discharge or other severe discipline.

Investigation: The Town of Seymour takes all complaints of sexual harassment, other forms of prohibited harassment or discrimination, and retaliation seriously, and all such complaints will be promptly investigated.

Confidentiality: The Town of Seymour cannot guarantee confidentiality but will endeavor to treat complaints and the terms of their resolution as personal and confidential to the extent it is reasonably practical to do so.

Outcome of the Investigation and Corrective Action: If, as a result of the investigation, the Town of Seymour finds that sexual harassment or other harassing, discriminatory or retaliatory conduct prohibited by this policy occurred, the Town will take prompt and appropriate corrective action which it considers reasonable under the circumstances to end and prevent recurrence of the harassment, discrimination or retaliation. Corrective action may be disciplinary, with the degree of discipline, up to discharge, imposed dependent upon the severity of the misconduct. When the investigation is completed, the reporting employee will be informed of the outcome of the investigation and the corrective action, if any, to be taken.

If you make a complaint and are not satisfied with the outcome of the company's investigation and any corrective action taken, you have the right to file an administrative complaint with the Connecticut Commission on Human Rights and Opportunities and/or the Equal Employment Opportunity Commission.

Distribution of Policy: The Human Resources Department is responsible for the distribution of this policy to all newly hired employees. All Department Heads are responsible for ensuring that this policy is visibly posted in all work areas and working collaboratively with the Human Resources to see that the policy is distributed to all newly hired part-time, temporary and seasonal employees.

Training: All current and newly hired employees will be required to attend Civil Treatment for Employees Training. Connecticut General Statute 46a-54(15) requires a minimum two hour training program for supervisory employees within six months of hire. The Human Resources Department assumes responsibility for providing the required training for employees and supervisors and identifying and disseminating information regarding such training programs. It is a Supervisor's responsibility to attend the required training program provided by the Human Resources or make arrangements to attend other training opportunities identified by Human Resources. This statutory training is a term and condition of employment for all supervisory employees. Failure to satisfy the training requirement within the prescribed time frame shall constitute misconduct and shall result in appropriate disciplinary action.