

TOWN OF GRANVILLE
SEXUAL HARASSMENT POLICY

SECTION 1. Declaration of Policy.

Sexual harassment is a form of gender discrimination and is a violation of State and Federal Civil Rights Laws. It is the policy of this municipality to strongly oppose and seek to prevent any form of illegal discrimination. We recognize that any employee's ability to perform his or her job may be adversely affected by harassment based on sex. Therefore, this policy has been prepared and adopted to aid our employees in understanding and helping to prevent sexual harassment.

SECTION 2. Definitions.

The Equal Employment Opportunity Commission defines sexual harassment as "unwelcomed 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 as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual, or;
- ▶ such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile or otherwise offensive working environment, or;
- ▶ such conduct creates an intimidating, hostile or offensive work environment.

Sexual harassment can include abusive verbal language related to an employee's sex; sexually orientated comments about an individual's body that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile or offensive working environment; displays of obscene printed or visual material; and physical contact, such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

SECTION 3. Prohibition of Sexual Harassment.

No employee, officer or official of the Town of Granville shall engage in conduct or behavior which constitutes sexual harassment of another employee, officer or official of the Town of Granville.

SECTION 4. Reporting of Complaints.

Any employee, officer or official of the Town of Granville who believes that he or she has been the target or victim of sexual harassment shall file a written complaint within thirty (30) calendar days of the incident complained of, in accordance with the procedure set forth in Section 5 of this policy. Any employee, officer or official of the Town of Granville who believes that he or she has witnessed the occurrence of sexual harassment toward another employee, officer or official of the Town, or who has become aware of the occurrence of such an incident, may file a written complaint in accordance with the procedure set forth in Section 5 of this policy.

SECTION 5. Investigation and Determination of Complaints.

- ▶ All reports of sexual harassment shall be made in writing to the Town Supervisor and signed by the person making the report. In the event that the Town Supervisor is the subject of a complaint, the report shall be made to the Deputy Town Supervisor.
- ▶ All reports of sexual harassment shall be thoroughly investigated and a determination of the merits of each complaint or report shall be made on a timely basis. The Town Supervisor (or, in the event of his disqualification, the Deputy Town Supervisor) shall, in consultation with the Town's legal counsel, determine the appropriate steps to take in investigating the merits of the complaint based upon the circumstances of each particular case.
- ▶ All information obtained from an employee, officer or official making a report of sexual harassment shall be held in the strictest confidence possible and shall be repeated or disseminated only to the extent necessary to conduct an appropriate investigation and implement any corrective action following the conclusion of such investigation.
- ▶ Retaliation against any person filing a report or complaint of sexual harassment will not be tolerated or permitted.

SECTION 6. Penalties.

- ▶ If an investigation of a report or complaint of sexual harassment confirms that sexual harassment has in fact occurred, such conduct is and will be treated as a disciplinary offense and the Town of Granville will take corrective action with respect thereto, including any discipline that is appropriate, up to and including, immediate termination of employment.
- ▶ Due to the serious and private nature of the offense of sexual harassment, false accusations of sexual harassment are and will be treated as a disciplinary offense. Accordingly, if an investigation of a report or complaint of sexual harassment reveals that no sexual harassment has occurred and that a false accusation of sexual harassment was knowingly made, the Town of Granville will take corrective action and the making of such false accusation will subject the offending party to the same level of punishment or discipline as that applied to one who engages in conduct constituting sexual harassment.

SECTION 7. Limitation of Purpose and Effect.

This policy is intended solely for the municipal use of the Town of Granville and shall not, with respect to any liability claims asserted against the Town, be deemed or construed to create a greater legal duty or a higher legal standard of safety or care on the part of the Town of Granville than that otherwise existing under applicable state and federal law. Any violation of the provisions of this policy shall form the basis for municipal administrative sanctions only; and shall not give rise to any private claim or cause of action against the Town or its employees, officers or officials.

ADOPTED: SEPT. 11, 1997

EFFECTIVE: SEPT. 11, 1997