

NON-HARASSMENT, DISCRIMINATION AND RETALIATION POLICY

Adopted by the Town of Lancaster on January 7, 2013

Equal Employment Opportunity

The Town provides equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, sex, marital status, genetic information, religion, national origin, age, disability, sexual orientation, status as a Vietnam-era or special disabled veteran, other covered veteran, or any other category protected by law. This policy relates to all aspects of employment, including recruitment, placement, promotion, training, demotion, transfer, layoff, recall, termination, rates of pay, and employee benefits.

Any concerns from employees or job applicants alleging violations of the Equal Employment Opportunity policy will be given immediate attention.

Non-Harassment, Discrimination, and Retaliation Policy

The Town prohibits harassment, discrimination, or retaliation based on race, color, creed, sex, marital status, genetic information, religion, national origin, age, disability, sexual orientation, status as a Vietnam-era or special disabled veteran, other covered veteran, or any other category protected by law. Improper interference with the ability of the Town's employees to perform their expected job duties is not tolerated. Anyone found to be in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

A. Definition of Harassment.

For purposes of this policy, harassment means persistent conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or that creates an intimidating, hostile, or offensive working environment related to an individual's race, color, religion, sex, age, national origin, disability or any other basis prohibited under state, federal or local laws.

B. Harassment Based on Race, Color, Religion, National Origin, Age, or Other Protected Characteristics.

The Town prohibits harassment of an employee based on race, color, religion, national origin, disability, age, sexual orientation, or veteran status. While not exhaustive, the following is a list of examples of harassing behaviors that violate this policy:

1. Jokes that refer to race, color, religion, national origin, disability, age or veteran status.
2. Posting or distributing cartoons, e-mails, drawings or any other material that negatively reflects a person's race, color, religion, national origin, disability, age, or veteran status.
3. The use of slurs or other offensive language.

4. Practical jokes, horseplay, or teasing that insults a person on the basis of any protected characteristic.

C. Sexual Harassment.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Examples of sexual harassment, include, but are not limited to, the following behaviors:

1. Unwanted sexual advances
2. Offering employment benefits in exchange for sexual favors
3. Making or threatening reprisals after a negative response to sexual harassment
4. Visual conduct such as leering, making sexual gestures, displaying or distributing sexually suggestive objects or pictures, e-mails, cartoons, or posters.
5. Verbal conduct, such as making or using sexually derogatory comments, epithets, slurs, or jokes, or making sexual advances or propositions.
6. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, e-mails, or social media posts or messages.
7. Physical conduct, such as unwanted touching or assault.

This policy applies to the conduct of all employees, including supervisors and coworkers.

D. Procedure for Reporting and Investigating Complaints.

The Town encourages individuals who believe that they are being harassed or discriminated or retaliated against to promptly notify their immediate supervisor. If the offending behavior does not cease, the individual should report the matter to the Payroll Supervisor. If the subject of a complaint is the immediate supervisor, or if an individual does not feel comfortable reporting the complaint to their supervisor, the individual may report the complaint to the Payroll Supervisor.

All reported allegations of harassment, discrimination or retaliation will be reviewed promptly to determine if an investigation is warranted.

Individuals have a duty to cooperate with any investigation commenced by the Town under this policy.

The Town will make reasonable efforts to protect the privacy of the individuals involved in investigations conducted under this policy by limiting disclosure of confidential information to those individuals with a bona fide "need to know." Individuals that are questioned during the investigation will be required to keep confidential all information that they learn or provide.

D. Non-Retaliation. The Town prohibits retaliation against any individual that has filed a good faith complaint under this policy or that has assisted in a complaint investigation. However, if after investigating a complaint of harassment, discrimination, or retaliation, the Town determines that the complaint was made in bad faith, or that an individual had intentionally provided false information regarding the complaint, disciplinary action may be taken against the complaining individual or the individual that provided false information.

EMPLOYEE ACKNOWLEDGMENT FORM

I have received a copy of the Town’s Non-Harassment, Discrimination and Retaliation Policy adopted by the Town Board on January 7, 2013. I agree to review the policy and abide by it at all times. I understand that questions about the policy should be directed to the Payroll Supervisor.

Name of Employee (Please Print)

Employee’s Signature

Date