

APPENDIX A: HARASSMENT AND OTHER INAPPROPRIATE BEHAVIOR POLICY STATEMENT

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). It is the belief of the Village, its trustees, and its administrators that all employees should be able to enjoy a work environment free from all forms of discrimination and tensions involving matters that do not relate to the Village's business.

The most productive and satisfying work environment is one in which work is accomplished in a spirit of mutual trust and respect. Harassment is a form of discrimination which is offensive, impairs morale, undermines the integrity of employment relationships and causes serious harm to the productivity, efficiency and stability of the organization.

Harassment is unwelcome conduct that is based on race, color, sex, religion, national origin, disability, and/or age. Harassment becomes unlawful where

- 1) enduring the offensive conduct becomes a condition of continued employment, or
- 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Sexual Harassment Policy

The Village believes that you should be afforded the opportunity to work in an environment free of sexual harassment. Sexual harassment is a form of misconduct that undermines the employment relationship. No employee, either male or female, should be subjected verbally or physically to unsolicited and unwelcomed sexual overtures or conduct. Similarly, inappropriate displays of affection or sexually related conduct, even if welcome, are inappropriate at work and will not be tolerated.

Sexual harassment refers to behavior that is not welcome, that is personally offensive, debilitates morale and, therefore, interferes with work effectiveness. Behavior that amounts to sexual harassment may result in disciplinary action, up to and including dismissal.

Definition

The Village has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome 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 your employment
- submission to or rejection of such conduct by you is used as the basis for employment decisions affecting you
- such conduct has the purpose or effect of unreasonably interfering with your work performance or creating an intimidating, hostile or offensive working environment.

Employer's Responsibility

The Village wants you to have a work environment free of sexual harassment by management personnel, by your coworkers and by others with whom you must interact in the course of your work as an employee. The Village is responsible for preventing sexual harassment in the workplace, for taking immediate corrective action to stop sexual harassment in the workplace, and for promptly investigating any allegation of work related sexual harassment.

Complaint Procedure

If you experience or witness sexual harassment in the workplace, report it immediately to your direct supervisor. You may also report harassment to any other supervisor or the Village Manager.

All allegations of sexual harassment will be quickly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of that investigation.

Retaliation Prohibited

The Village will not permit any employment-based retaliation against anyone who brings a complaint of sexual harassment or who speaks as a witness in the investigation of a complaint of

harassment.

Written Policy

This policy will serve as your written notice of the Village's harassment policy. If at any time you would like another copy of the policy, please contact the Village Manager. If the Village should amend or modify its sexual harassment policy, you will receive an individual copy of the amended or modified policy.

Penalties

Harassment will not be tolerated under any circumstances. If an investigation of any allegation of harassment shows that harassing behavior has taken place, the harasser will be subject to disciplinary action, up to and including dismissal.