
SEXUAL AND OTHER UNLAWFUL HARASSMENT

Effective Date: January 1, 2000
Section: 704

Harassment of a sexual, racial, religious, or ethnic nature directed at employees of the Township shall not be tolerated. This means that the following behaviors are grounds for disciplinary action:

1. Abusing the dignity of an employee through insulting or degrading sexual, racial, religious or ethnic remarks or conduct; or
2. Threats, demands, or suggestions that an employee's work status is contingent upon the employee's toleration of, or acquiescence to, sexual advances or verbal abuse of a racial, religious, or ethnic nature; or
3. Retaliation against employees for complaining about the behaviors described above.

Springfield Township is committed to ensuring that all Township employees are able to perform their work in an environment free of any illegal harassment, either direct or indirect, regardless of their age, race, color, gender, religion, ancestry, or disability. Any type of harassment of one employee against another that interferes with good working conditions or job opportunities is a violation of this policy and employees responsible will be subject to severe disciplinary action. The use of any derogatory terminology by any employee to refer to any identifiable group or individual is prohibited.

This policy covers all employees of Springfield Township and all applicants for such employment.

Prohibited Conduct:

Sexual harassment is unlawful sex discrimination. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct affects an employment decision or when such conduct interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment can be categorized as either "quid pro quo" or "hostile work environment." The "quid pro quo" category involves an unwelcome sexual advance or request for sexual favors by someone in a position of authority or influence which carries with it either (1) the threat of termination, demotion, loss of promotion, salary reduction, loss of training opportunities, or other tangible loss of benefits if the employee refuses such advances or requests; or (2) the promise of promotion, salary raises, training opportunities, or other tangible increase in benefits if the employee complies with the advance request. The "hostile work environment" category involves situations where the workplace is permeated with discriminatory intimidation, ridicule, and insult that is sufficiently severe or pervasive to alter the condition of an employee's employment and create an abusive work environment.

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Actions which are evidence of this category of sexual harassment include, but are not limited to, leering, pinching, patting, oral or written comments of a sexual nature, subtle and overt pressure for sexual activity, repeated requests for dates, sexually suggestive objects or pictures in the workplace, sexual jokes, and unwanted body contact.

Springfield Township will not tolerate either category of sexual harassment. All supervisors and Department Heads are responsible for ensuring that the employees under their supervision are informed of this Policy and that harassing conduct does not occur at any level in their departments. In turn, all employees are responsible for ensuring that their conduct on the job is free from harassing intent or impact.

Any employee determined to have sexually harassed another employee will be subjected to disciplinary action, up to and including termination.

Responsibility to Report:

All employees of Springfield Township are responsible for ensuring that discriminatory or harassing conduct does not occur in any form in the workplace. Any employee who believes that he/she has been subjected to sexual harassment should, where appropriate, verbally communicate to the offending employee that his/her behavior must stop. ***Employees who believe that they have been subjected to sexual harassment are also required to immediately report the offending incident(s)*** to a supervisor. Further, employees who observe conduct, which reasonably amounts to sexual harassment, ***must likewise immediately report such conduct*** to a supervisor. (See below for full list of personnel to whom harassment complaints may be made). Upon receipt of such a complaint, the supervisor must report the complaint to the head of his/her department. The Department Head will then bring the complaint to the attention of the Township Administrator.

In the event that the complaint is lodged against a Department Head, the supervisor will bring the complaint directly to the attention of the Township Administrator. In the event that the complaint is lodged against the Township Administrator, the Department Head will bring the complaint directly to the attention of the Board of Trustees.

Complaint Procedure for Harassment and Sexual Harassment:

Employees who feel that they have been subjected to sexual harassment shall immediately file a complaint regarding the offensive conduct to **one** of the following persons:

- The offended employee's immediate supervisor;
- A supervisor other than the immediate supervisor;
- The head of the department in which the offended employee is employed; or
The Township Administrator.

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The complaint should be made to the person listed above with whom the offended employee feels most comfortable. When making a complaint, the offended or reporting employee should provide facts concerning the offensive behavior. The facts should answer the following questions:

- Who committed the offensive behavior?
- What was the specific behavior?
- When and where did the incident(s) occur?
- Were there any witnesses? If yes, who are they?

If the complaint is originally made with a supervisor, that supervisor shall promptly contact his/her Department Head. The Department Head will then inform the Township Administrator of the facts of the complaint.

The Township Administrator will act positively to investigate the alleged acts of sexual harassment and will seek effective remedies when an allegation is determined to be valid. Every effort will be made to conduct the investigation in an efficient and impartial manner. The employee against whom the complaint has been made will be given a full opportunity to respond to the allegations against him/her.

No employee shall be subjected to coercion, intimidation, interference, or any form of retaliation for raising a complaint or assisting in an investigation under this policy. Any incidences of such retaliation shall be immediately reported to the Township Administrator and will, if validated, be grounds for disciplinary action, up to and including termination.

Likewise, no employee should be subjected to false accusations of sexual harassment. Any employee determined to have filed a false complaint of sexual harassment against another employee will be subjected to disciplinary action, up to and including termination.

INTERPRETATION OF, OR EXCEPTIONS TO, THIS POLICY:

The Township Administrator is authorized to make interpretations of this policy. There shall be no exception to this policy.