

EDGEWATER PARK TOWNSHIP
POLICY AND PROCEDURE
ON SEXUAL HARASSMENT

It is the policy of the Township of Edgewater Park to maintain a working environment that is free from all forms of discrimination, including sexual harassment.

Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. No employee, either male or female, should be subjected to unsolicited and unwelcomed sexual overtures or conduct, either verbal or physical. No employee should be subjected to a hostile or offensive environment created by sexual harassment.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that lowers morale and that, therefore, interferes with our work effectiveness.

Each supervisor has a responsibility to maintain the workplace free of sexual harassment. This duty includes discussing this policy with all employees and assuring them that they are not to endure insulting, degrading or exploitive sexual treatment.

It shall be a violation of this Policy for any employee of the Township to harass another employee through conduct or communications of a sexual nature or because of that employee's gender. It shall also be a violation of the Policy for any supervisor who is aware that sexual harassment is taking place to fail to report promptly the matter to the Township Administrator.

DEFINITION OF SEXUAL HARASSMENT

A. Sexual harassment shall consist of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature made by any employee when:

1. Submission to sexual harassment is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of sexual harassment by an individual is used as the basis for employment decisions affecting that individual;

or

3. Sexual harassment has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

B. Sexual harassment, may include, but is not limited to the following:

1. unwelcome sexual advances, such as offensive sexual flirtations, repeated requests for dates or love letters after rejection of overtures
2. unwelcome discussion of sexual activities
3. pressure or coercion for sexual activity
4. repeated unwelcome remarks to a person, with sexual or demeaning implications
5. unwelcome intentional touching, such as patting, pinching or brushing against another's body
6. suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's evaluation, raise, promotion, etc.
7. unwelcome display of nude or pornographic pictures, lewd or vulgar cartoons, etc.
8. unwelcome jokes about gender-specific traits

C. Sexual harassment may also consist of intimidating, abusive or hostile behavior of a nonsexual nature toward an employee because of his/her gender. Verbal abuse and hostility that is not sexual in character but is directed solely at females because they are female or at males because they are male is likewise a violation of this Policy on the same level as harassment of a sexual nature.

D. Sexual harassment can also take the form of offensive conduct by nonemployees (such as vendors, outside contractors, etc.) against employees in the workplace.

PROCEDURES

Because of the nature and seriousness of sexual harassment in the workplace, the receipt of complaints, investigation and recommendation for disciplinary action (if necessary) shall be the responsibility of the Township Administrator.

1. REPORTING VIOLATIONS

Any person who feels he/she is the victim of sexual harassment as defined herein may file a complaint directly with the Township Administrator. Any Department Head or

other supervisory personnel who should receive a complaint regarding sexual harassment or should become aware of instances of sexual harassment must promptly report the incident to the Township Administrator. Although employees are encouraged to try to resolve disputes with the help of their immediate supervisor, there is no requirement that the employee exhaust the chain of command in relation to sexual harassment complaints. Rather, an employee can go directly to the Township Administrator at any time during the complaint process. Neither the filing of a bona fide complaint nor otherwise reporting sexual harassment will adversely affect the individual's employment status or future terms and conditions of employment.

2. INVESTIGATION

The Township Administrator shall promptly commence an investigation of the allegations of sexual harassment, which investigation may include interviews and written statements from the victim, the alleged harasser and any witnesses.

A written report of the investigation shall be prepared by the Township Administrator within fifteen days of the conclusion of the investigation (with a copy sent to the victim and alleged harasser). The Township Administrator may initiate any remedial or disciplinary action which the Township Administrator deems necessary.

3. SANCTIONS

If the allegations of sexual harassment be found to be meritorious, the Township Administrator shall immediately institute remedial and/or corrective action, which action may include counseling, change in work assignments or disciplinary action (up to and including termination). Any disciplinary action shall be consistent with applicable collective bargaining agreements. The victim of sexual harassment shall be informed of the nature of any disciplinary action taken.

The Township Administrator may monitor future conduct of the parties involved in order to insure that the remedial action taken has been effective in stopping the harassment and that no retaliation has occurred.