

# **Town of Brunswick**

## **Harassment Policy**

The Town of Brunswick is committed to a healthy, harassment-free work environment for all our employees. It is the policy of the Town of Brunswick to prevent harassment of any type, including sexual harassment, of its employees, and to deal quickly and effectively with any incident that might occur. The Town considers this a zero tolerance policy.

This policy applies to all employees of the Town of Brunswick, and all non-employees (defined as agents, consultants, guests, customers, invitees, vendors, suppliers, and furnishers of goods and services). All employees are expected to interact with co-workers in a respectful manner. If employees are subject to harassment, or are aware of any violations of the Harassment Policy, they are encouraged and expected to report the incident to their supervisor, department head or human resources.

### **Definition of Harassment**

Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of their race, color, sex, age, physical or mental disability, sexual orientation, religion, ancestry or national origin. Federal and State laws prohibit harassment in the workplace on these grounds.

Examples of harassment which will not be tolerated in the Town of Brunswick are: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts about any employee's religious beliefs, color, national origin, mental or physical disabilities, ancestry, race, sexual orientation, or gender. The Town will not tolerate the display of pornographic, racist or offensive signs or images, or unwelcome invitations or requests.

### **Definition of Sexual Harassment**

Sexual harassment, or discrimination on the grounds of gender, is a violation of the Maine Human Rights Act as well as Title VII of the Civil Rights Act of 1964. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term of, or condition of, an individual's employment; or
2. submission to, or rejection of, such conduct by an individual creates an offensive or intimidating work environment and/or affects that individual's employment.

The following examples are also considered sexual harassment and are not permitted:

A. Physical assaults of a sexual nature such as:

- 1) Rape, sexual battery, molestation or attempts to commit these assaults; and
- 2) Intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.

B. Unwanted sexual advances, propositions or other sexual comments, such as:

- 1) Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in his or her presence is unwelcome;
- 2) Preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
- 3) Subjecting, or threatening to subject, an employee to unwelcome sexual attention or conduct or making performance of an employee's job more difficult because of that employee's sex.

C. Sexual or discriminatory displays or publications anywhere in the organization by employees, such as:

- 1) Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other

materials that are sexually suggestive, sexually demeaning, or pornographic, or bringing in the work environment or possessing any such material to read, display or view at work.

- 2) Reading or otherwise publicizing in the work environment materials that are in any way sexually demeaning or pornographic; and
- 3) Displaying signs or other material purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private lockers/changing rooms).

### **Complaint Procedure**

All complaints will be investigated promptly, impartially and discreetly. Once a complaint is received, an investigation will be undertaken immediately and all necessary steps taken to resolve the problem.

Any employee who believes he or she has been harassed should take the following steps to resolve the problem:

1. If you find someone's behavior offensive, you may attempt to resolve the behavior by calmly but firmly informing the individual that you find the behavior offensive and requesting that the behavior cease.
2. If you do not feel comfortable discussing the behavior with the individual(s) involved, or if you believe some employment consequence may result from your confrontation with the individual whose behavior offends you, you should register a complaint, preferably in writing, with your supervisor, department head, or with the Human Resources Manager.
3. If what you consider to be a reasonable length of time has gone by and you believe inadequate corrective action has been taken by your supervisor or the Human Resources Manager; you should register your complaint in writing with the Human Resources Manager or the Town Manager (if your original complaint was filed with the Human Resources Manager).

## **Fact Finding/Investigation**

1. Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information.
2. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or termination, and the incident will be documented in the harasser's file. No documentation will be placed on the complainant's file where the complaint is filed in good faith, whether the complaint is upheld or not.
3. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.

## **Confidentiality**

The Town Of Brunswick understands that these matters can be extremely sensitive and, so far as practical under the circumstances, every effort will be made to keep all information relating to harassment complaints in confidence.

## **Retaliation Prohibited**

Regardless of the outcome of a harassment complaint made in good faith, the employee lodging the complaint, as well as anyone providing information, will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the company or harassment of an individual as a result of her/his having made a complaint or having participated in the investigation process.

**Note: Employees may, at any time, file a complaint with the Maine Human Rights Commission, which is located at #51 State House Station, 19 Union Street, Augusta Maine 04333; telephone number (207) 624-6290. A complaint must be filed with the Maine Human Rights Commission within six months of the alleged incident.**