



CITY OF NEW BRITAIN SEXUAL HARASSMENT POLICY STATEMENT

It is the policy of the City of New Britain to provide a workplace environment that is free of sexual harassment as defined by both federal and state statutes in which, emphasizes the dignity and worth of every member of its workplace and its visitors, free from discriminatory conduct or communication. Sexual harassment in any form will not be tolerated.

It is the responsibility of the Mayor of the City of New Britain to maintain a working environment free of sexual harassment and intimidation. The Affirmative Action Officer and/or Personnel Director with the assistance of the Corporation Counsel has been designated as the coordinators for investigations and enforcement of the City of New Britain Sexual Harassment Policy.

Directors, department heads, chairpersons, supervisors, and elected city official share responsibility for the implementation of the City's policy in regard to sexual harassment in their respective positions and units. Other persons who suspect sexual harassment should report it to an appropriate person in their departments/divisions.

This policy shall apply to all individuals affiliated with the City of New Britain including, but not limited to employees, volunteers, and visitors, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy may be subject to disciplinary or other corrective action.

Definitions

Sexual Harassment. For the purpose of this policy "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature 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 any individual is used as the basis for employment decisions affecting such individual ; or
- 3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

Examples of SEXUAL HARASSMENT Include

- unwelcome sexual advances
- suggestive or lewd remarks
- unwanted hugs, touches, kisses
- requests for sexual favors
- retaliation for complaining about sexual harassment
- derogatory or pornographic posters , cartoons, or drawings

Retaliation. Retaliation is subjecting a person to an adverse employment action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation under this policy.

Investigation

In determining whether alleged conduct constitutes sexual harassment, the City of New Britain will look at the totality of circumstances, including the nature of the conduct and the context in which the alleged incidents occurred. The determination that the conduct violates City's policy will be made on a case-by-case basis. The preponderance of the evidence customary will be used to make the final determination. The City will take immediate and appropriate corrective action based on the findings in each case. Violations of this policy may lead to disciplinary action up to and including dismissal or termination of employment.

Retaliation

Retaliation as defined in this policy is prohibited. Any individual subject to this policy who intentionally engages in retaliation may be subject to disciplinary or other corrective action as appropriate.

All personnel of the City of New Britain are expected to conduct themselves in keeping with the policy of prohibiting sexual harassment.

Related Documents to Sexual Harassment Statement:

- Policy and Procedures
- Complaint Forms

Policy history:

Revised: March 12, 2016



CITY OF NEW BRITAIN SEXUAL HARASSMENT

POLICY AND PROCEDURES

I

POLICY

It is the policy of the City of New Britain to provide a workplace environment that is free of sexual harassment as defined by both federal and state statutes in which, emphasizes the dignity and worth of every member of its workplace and its visitors, free from discriminatory conduct or communication. Sexual harassment in any form will not be tolerated.

II

ILLUSTRATIVE EXAMPLES OF SEXUAL HARASSMENT

1. Insinuated or explicit threats that an employee's refusal to submit to sexual advances will adversely affect any condition of that employee's employment or career development;
2. Unwelcome flirtations, advances, propositions, and other actions including, but not limited to, pinching, patting, cornering, "elevator eyes", leering, suggestive, and/or insulting or degrading remarks and/or obscene gestures or looks, sex-orientated jokes, and assault;
3. Verbal abuse and/or insulting or degrading remarks of a sexual nature, threats, and suggestive comments;
4. Any display of sexually suggestive objects or pictures in the workplace;
5. Any other related behavior which creates an intimidating, hostile, or otherwise offensive working environment;
6. Third party situations where one individual is offended by the sexual interaction, conduct or communication between others;
7. Retaliation against any employee for complaining about the behaviors above;
8. Any other conduct that constitutes a violation of state and federal statutes;
9. Stalking

III

INFORMAL RESOLUTION OF SEXUAL HARASSMENT (PRIOR TO FILING A COMPLAINT)

An employee who believes he or she has been sexually harassed has several adoptions when dealing with the situation. One way of addressing the situation is in an informal manner, such as the following:

1. Approach the person(s) face-to-face, describe the behavior you believe and ask that it stop.
2. Write a letter to the person(s) describing the behavior you believe and ask that it stop.
3. Approach one or more of the following persons to informally bring the behavior to the offender's attention and ask it to stop:
 - Immediate supervisor
 - Supervisor's immediate superior (should the alleged harasser be the employee's Supervisor)
 - The Director of Human Resources
 - The Union Representative
 - Any combination of the above mentioned personnel.

IV

PROCEDURES FOR FILLING COMPLAINTS OF SEXUAL HARASSMENT

If an employee does not want to use the informal process, or has used the informal the informal process but has not successfully stopped the harassment, the employee may make use of the formal procedures for filling complaints of sexual harassment.

1. The employee should report the behavior to the:
 - Immediate supervisor
 - Supervisor's immediate superior (should the alleged harasser be the employee's Supervisor)
 - The Director Human Resources
 - The Union Representative
 - Any combination of the above mentioned personnel.
2. The employee must be prepared to outline specifics of the incident or behavior, including the name of the suspected harasser, and any potential witnesses.
3. The supervisor or person receiving the complaint must be prepared to document all available information, including the name of the complainant, suspected harasser, any potential witnesses, and a detailed description of the incident or behavior generating the complaint.
4. This information is then immediately reported to the Corporation Counsel.

Retaliatory action of any kind against an employee who files a complaint of sexual harassment will not be tolerated (and may be cause for further disciplinary action).

V

INVESTIGATING SEXUAL HARASSMENT COMPLAINTS

Investigation

In determining whether alleged conduct constitutes sexual harassment, the City of New Britain will look at the totality of circumstances, including the nature of the conduct and the context in which the alleged incidents occurred. The determination that the conduct violates City's policy will be made on a case-by-case basis. The preponderance of the evidence customary will be used to make the final determination. The City will take immediate and appropriate corrective action based on the findings in each case. Violations of this policy may lead to disciplinary action up to and including dismissal or termination of employment

The investigative report shall include a finding as to whether or not sexual harassment has occurred. If sexual harassment has occurred, the appropriate authority will take disciplinary action after consultation with the Director of Personnel. All parties involved in the sexual harassment complaint will be notified of the decision and action to be taken. Those personnel to be included are the accused harasser, the complainant, the investigator(s), and any other personnel necessary.

Should there be a finding of sexual harassment, there will be a periodic review to ensure that sexual harassment has not recurred.

STATE OF CONNECTICUT LAW REGARDING HUMAN RIGHTS DISCRIMINATION

“Sec.46a-60. (Formerly Sec. 31-126). Discriminatory employment practices prohibited. (a) It shall be a discriminatory practice in violation of this section

(8) For an employer, by himself or his agent, for an employment agency, by itself or its agent, or for any labor organization, by itself or its agent to harass any employee, person seeking employment, or member on the basis of sex. “Sexual harassment” shall, for the purposes of this section, be defined as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature 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 substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.”

VIII

EEOC GUIDELINES REGARDING SEXUAL DISCRIMINATION

EEOC guidelines define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . .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 ;

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.

IX

POSTING

A copy of this policy and procedure shall be posted in a prominent place in all City departments, agencies and workplaces.

Dated at New Britain, Connecticut, this 10th day of January 2017.

Erin E Stewart, Mayor