

**TOWN OF STOWE, VT
SELECTBOARD
SEXUAL HARASSMENT POLICY**

Section 1. Purpose – To comply with state (23 VSA 495h) and federal law by adopting a written anti-harassment policy. Also, to convey to the employees in writing that it is against the policies of the Town, and illegal under state and federal law, for any employee, male or female, to sexually harass another employee.

Section 2. Conduct – The Town is committed to providing a workplace free from sexual harassment. It is a violation of this policy for an employee to engage in sexual harassment. Sexual harassment is a form of sex discrimination; it means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) Submission to or rejection of a request for a sexual favor is used as the basis for employment decisions affecting the person who did the submitting or rejecting;
- (2) Submission to a request for sexual favors is made either explicitly or implicitly a condition of the individual's continued employment;
- (3) Unwelcome sexual advance and other verbal or physical conduct of a sexual nature interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment;
- (4) An individual repeatedly makes inappropriate remarks about someone's clothing, body or sexual activities or engages in repeated leering or ogling; or
- (5) An individual engages in unwelcome and offensive touching, patting, or pinching of another person's body parts, or any type of assault of a sexual nature.

Section 3. Training - Each Department Head has an affirmative duty to maintain his/her workplace free of sexual harassment and intimidation. Therefore, it is the responsibility of the Department Head to discuss this Policy with their employees and assure them that they can work in security and dignity, and are not required to endure insulting, degrading, or exploitive sexual treatment. It is also the responsibility of any department head to immediately report to the Town Manager or Human Resource Coordinator any complaints they receive from their employees concerning sexual harassment.

Section 4. Complaints: Any employee or volunteer, who is the victim of sexual harassment or abuse, should report the matter to the Town Manager. If the complainant is dissatisfied with the employer's action, or is otherwise interested in doing so, he/she may file a complaint by writing or calling the following state or

federal agencies:

- (1) Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05609; tel; (802) 828-3171 (voice/TDD): Complaints should be filed within 300 days of the adverse action.
- (2) Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617) 565-3200 (voice), (617) 565-3204 (TDD). Complaints should be filed within 300 days of the adverse action.
- (3) Each of these agencies can conduct impartial investigations, facilitate conciliation; and, if it finds that there is probable cause or reasonable grounds to believe sexual harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of sexual harassment through this employer's complaint procedure, an employee is not required to do so before filing a charge with these agencies.

E. Retaliating or discriminating against an employee for complaining about sexual harassment is prohibited.

F. Any substantiated instance of sexual harassment as described herein, any act of retaliation, or any failure to cooperate in the investigation or resolution of a sexual harassment complaint may result in disciplinary action consistent with any applicable collective bargaining agreement, statute or Town policy.

G. In the event an employee accuses the Town Manager of this type of conduct, a complaint shall be submitted to a Selectboard Member. The Town Attorney shall conduct an investigation and issue a report with a summary of findings to the entire Selectboard.

H. In the event an investigation leads to the conclusion that the accusation is unsubstantiated or does not constitute behavior which is inappropriate, no disciplinary action shall be taken.

I. In the event an investigation leads to the conclusion that the accusation is blatantly false and malicious, the accuser may be disciplined consistent with any applicable collective bargaining agreement, statute or Town policy.

Adopted by the Selectboard on September 26, 2011.