



**The statements contained in this policy are guidelines and summaries. They do not bind the City of Monroe. The City reserves the right to change, revoke or make exceptions to city policies at any time and at its sole discretion.**

## **1.0 PURPOSE AND SCOPE**

It is the policy of the City of Monroe to provide a work environment for all of its employees that is harmonious and free from intimidation. To this end, the City will not tolerate any form or degree of harassment. Harassment based on race, creed, color, religion, sex, age, national origin, marital status, sexual orientation, citizenship status, disability, or veteran status, or any other status protected by law, is a form of discriminatory behavior and will not be tolerated.

In addition, the City of Monroe is committed to providing a safe workplace for all individuals. The City strictly prohibits any acts or threats of violence against others by any individual on City property at any time or while such individual is engaged in business with or on behalf of the City, on or off City property.

All inquiries, complaints, and investigations are treated as confidentially as possible under the circumstances. Information is revealed strictly on a need-to-know basis. Adequate steps will be taken to ensure that the complainant is protected from retaliation from the time the complaint is made and during and after the period of the investigation. Any employee responsible for any form of retaliatory conduct may be subject to disciplinary action.

This policy applies to all employees and individuals using city facilities and vehicles. As with any other policy, each department director is responsible for ensuring that all employees adhere to the policy.

Prompt disciplinary action may be taken against an employee who is found to have violated this policy.

## **2.0 EXPLANATION OF KEY TERMS**

- 2.1 **Harassment:** Harassment does not refer to occasional compliments of a socially acceptable nature. Instead it refers to behavior that is not welcome, that is personally offensive, that lowers morale and that, therefore, interferes with productivity. Conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory effect on employment may not be viewed as harassment. Hostility-based harassment is prohibited when motivated by an employee's race, creed, color, religion, sex, age, national origin, marital status, sexual orientation, citizenship status, disability or veteran status.
- 2.2 **Individuals:** Can include strangers, such as people with a grudge against a particular employer, supervisor or employee; elected officials; volunteers; current or past customers, clients, temps, vendors, independent contractors, or delivery persons; current or former co-workers; current or former lovers involved in domestic disputes; spouses or people romantically involved in the midst of domestic disputes or people infatuated with or who stalk employees.
- 2.3 **Intimidating, Hostile or Offensive Work Environment:** Is created when there is pervasive or severe discriminatory conduct, when the conduct is unwelcome and offensive, physically threatening or humiliating (as opposed to a "mere offensive utterance"), and when the conduct unreasonably interferes with an employee's work performance.

2.4 Sexual Harassment: Any deliberate or repeated unsolicited verbal or written comments, visual material, conduct, gestures, or physical contact of a sexual nature by any individuals that are unwelcome to the recipient and which 1) unreasonably interfere with the recipient's work performance; or 2) that have the purpose or effect of creating an intimidating, hostile, or offensive working environment; or 3) unreasonably affect an individual's employment opportunities. Examples of such behavior include, but are not limited to:

- Unwelcome verbal or written comments such as innuendoes, jokes or derogatory remarks based on gender;
- Unwelcome physical behavior such as pats, squeezes, repeatedly brushing against someone's body, or impeding or blocking normal work or movement;
- Visual harassment such as posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's workstation and/or computer terminal;
- Unwanted sexual advances, pressure for sexual favors, and/or basing employment decisions (such as an employee's performance evaluations, work assignments, or advancement) upon the employee's acquiescence to sexually harassing behavior in the workplace.
- Incidents in which a supervisor uses implicit or explicit coercive sexually biased behavior to influence or affect the career, salary, or employment of another employee or prospective employee.
- Any incident described above involving activities of a City employee harassing a member of the public.

2.5 Workplace Violence: A direct or indirect threat, intentional act or other conduct, that arouses fear, hostility or intimidation reasonably causing an individual to fear for his or her personal safety or the safety of his or her family, friends or property, or that creates an abusive, intimidating, unsafe (or potentially unsafe) work environment for individuals doing business with the City. Examples of such behavior include, but are not limited to:

- Threatening injury or damage against a person or property
- Fighting or threatening to fight with another person
- Threatening to use or the possession, custody, storage, or control of a weapon
- Abusing or injuring another person
- Abusing or damaging property
- Using obscene or abusive language or gestures in a threatening manner
- Raising voices in a threatening manner
- Joking about any of the above, due to the potential for misunderstanding

2.6 Weapon: Includes, but is not limited to, any instrument or weapon of the kind usually known as a sling shot; sand club; metal knuckles; spring blade knife; knife with an automatic blade; or knife with a blade that will open under force; knives with blades longer than 4"; dagger; dirk; pistol; nun-chu-ka-sticks; throwing stars; air guns; pistol or rifle designed to propel BBs, pellets or other projectiles discharged by compressed air/gas. The City reserves the right to make determinations when there are questions regarding the interpretation of the term "weapon".

### **3.0 RESPONSIBILITY**

3.1 All department directors, managers, and supervisors are expected to actively maintain a workplace that is free from discrimination (including harassment, sexual harassment, and workplace violence) in all departments and at all levels, and for implementing and ensuring that all employees under their supervision have knowledge of and understand this policy. They are expected to take and/or assist in prompt and appropriate corrective action when necessary to ensure compliance and ensure that no discrimination occurs with respect to compensation, benefits, promotions, privileges, transfers, layoffs, training, social programs, or any other term or condition of employment. They must also ensure that all employees are aware of, and have an opportunity to ask questions about, this policy.

- 3.2 All employees are expected to conduct themselves in their daily activities in such a way as to ensure that no discrimination (including harassment, sexual harassment, or acts or threats of violence) occurs in any action on their part. Employees are expected to behave in a dignified, respectful, courteous, and professional manner towards others. In addition, it is a violation for any employee to carry a firearm or dangerous weapon on city premises (excluding police officers), unless expressly allowed by law.
- 3.3 It is the responsibility of human resources to 1) explain the city's anti-harassment/anti-violence policy and investigation procedures to the management team; 2) ensure that each department conducts training on the city's policy for their employees; 3) provide an alternative reporting method for employees if they are uncomfortable reporting the incident to their supervisor; 4) provide information on the Employee Assistance Program "EAP" for counseling and referral services, if appropriate; 5) provide advice and guidance to both the management team and employees, as needed; and 6) discuss policy with new employees during the orientation process.
- 3.4 It is the responsibility of the city administrator to consult with department directors and/or human resources if a formal complaint has been made. The city administrator will help ensure that an appropriate investigation takes place and will consult with department directors on appropriate disciplinary action.

#### **4.0 NOTICE AND INVESTIGATION PROCEDURES**

- 4.1 Investigation of a complaint of harassment or violence will be performed in an objective manner. All circumstances will be considered. An incident report form (attached) should be completed. The following factors will be determined:
- The frequency and severity of the conduct
  - Is it unwelcome and offensive?
  - Does it unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive work environment?
  - Does the act or behavior constitute criminal activity?
- 4.2 The following procedures are to be used when an employee believes that he/she is experiencing harassment or violence of any kind:
1. If employees believe that they have been subject to harassment or any unwanted sexual attention they should:
    - Make their unease and/or disapproval directly and immediately known to the harasser if they are comfortable doing so;
    - Make a written record of the date, time and nature of the incident(s), and the names of any witnesses; and
    - Report the incident to their immediate supervisor. If the supervisor is the problem, or if the employee is uncomfortable talking to their supervisor, they can inform another supervisor with whom the employee feels comfortable or human resources.Complaints should be filed as soon as possible after an incident of alleged harassment.
  2. Any workplace incidents indicating a potential for violence are to be reported by an employee to the supervisor (and/or department director) as soon as possible. An incident report form should be completed.

Employees are encouraged to report the existence of restraining orders and protection orders (required for police department employees). Also, depending on the situation, employees can call law enforcement on their own (when danger is imminent, 911 should be called).

3. Any employee who reasonably believes that a situation with an aggressive individual may immediately become violent putting the employee or others in imminent danger, the employee should promptly leave the work area, call 911, and report to his/her supervisor (and/or manager). No disciplinary action shall be taken against any employee who leaves a work area when the employee has a reasonable belief that an emerging situation with an aggressive person is likely to turn violent at that time.
4. Department directors, managers, and supervisors are expected to deal expeditiously and fairly with allegations of harassment and violence within their departments. If there has been a complaint, they must:
  - Notify their supervisor, department director, and the city administrator regarding the complaint;
  - Act promptly to investigate harassment, sexual harassment, or violence;
  - Ensure that harassment, sexual harassment, or workplace violence is reported as appropriate;
  - Advise the parties to the complaint of the results of the investigation and any disciplinary action taken;
  - Take corrective action to prevent prohibited conduct from reoccurring; and
  - Take immediate action (e.g., call 911) if an employee reports a situation that places the employee in imminent danger.

The City of Monroe reserves the right to search all city premises when the Department Director or his/her designee determines that such a search is a reasonable and necessary precaution for workplace safety.

5. Department directors, managers, and supervisors who knowingly allow or tolerate harassment or violence are in violation of this policy and may be subject to discipline.
6. The department director, along with the manager or supervisor of an individual found to have violated this policy, is responsible for monitoring the individual's compliance. The department director must ensure that the harassment does not reoccur and that the complainant is not subjected to retaliation. Individuals determined to have retaliated may be subject to disciplinary action up to and including termination.
7. Any employee who is found to have raised deliberate false allegations shall be subject to discipline, up to and including termination.
8. The City Administrator shall have the authority to assign and direct an investigation team and approve all subsequent disciplinary action. Within the police department, the process may also be considered an internal investigation.

**4.3** An Employee Assistance Program (EAP) is offered by the City of Monroe for threatened or distressed employees.

## **5.0 ATTACHMENTS**

- Incident Report Form

END OF DOCUMENT

**INCIDENT REPORT FORM  
(Harrassment and/or Violence)**

Today's Date			
Name of Person Writing Report			
Name of Person Making the Report (if different)			
Name(s) of the Victim			
1		5	
2		6	
3		7	
4		8	
Name(s) of Alleged Perpetrator(s)			
1		3	
2		4	
Name(s) of the Witnesses			
1		5	
2		6	
3		7	
4		8	
The Date the Incident Occurred			
Describe in detail what occurred			
Where did it occur?			
Was a verbal threat made either direct, indirect, or hidden? If so, what was said?			
Was there any physical violence? If so, what happened?			

Return form to department director and a copy to Human Resources